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THE

YOUNG AMERICAN:

OR

BOOK OF GOVERNMENT AND LAW;

SHOWING THEIR

HISTORY, NATURE AND NECESSITY.



FOR THE USE OF SCHOOLS.

FIFTH EDITION.

BY S. G. GOODRICH:
AUTHOR OF PETER PARLEY'S TALES.

NEW-YORK:
PUBLISHED BY NAFIS & CORNISH,
278 PEARL-STREET.

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1844a

Mr. Hubbard

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American University

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THE

YOUNG AMERICAN:

OR

BOOK OF GOVERNMENT AND LAW.

The Thief.



"The law is everywhere."

Natural Liberty.



"Might is right."

PREFACE.

IN a country where government derives its very existence from the people, and where its entire administration is dependent on them, it is clear that it will be good or bad, as the people are intelligent or ignorant, virtuous or vicious. We cannot gather grapes of thorns, or figs of thistles; we cannot expect a wise government from ignorance, or a pure one from corruption. Hence, the familiar remark, that the safety of our liberty—of our republican institutions, lies in the intelligence and virtue of the people.

The diffusion of moral and intellectual light is therefore the great work of the patriot in these United States. And while this is true, as a general remark, it should not be forgotten that there is special reason for the diffusion of *political* truth. Government is an artificial structure, vast in its dimensions, curious and complicated in its parts. A man can no more be born a government-maker, than he can be born a house-maker, or a watch-maker; he needs to learn his trade as much in the one case as the other. And yet, every citizen, whenever he goes to the polls, goes as a political architect,

and the single vote he casts may give character to the whole edifice of government. Should not every man to whom such a mighty trust is confided, know what he is about?

These are obvious truths, yet they appear not to be duly borne in mind. There are some politicians who seem averse to popular education, as if the policy of despotic priests and princes, which would keep the mass ignorant, so that they may easily be kept in subjection, still lingered in their minds. There are others who have a disgust of *politics*, as if there were something revolting in the duties and offices which result in giving security to life and property and home! Surely, we should not be governed by such mischievous prejudice —such pernicious error! All our boys are destined to be citizens—government-builders; and ought we not, in duty to them, in duty to the country, to see that they learn their trade? Shall we send them forth, ignorant in that art, which is the greatest and most important of all—an art which they are bound to exercise, and which they will exercise for good or ill to themselves and their country?"

It is from reflections like these that I have been induced to undertake this little book, the purpose of which is to make the nature, origin, and principles of government, and especially of our own, accessible to all, and if possible, familiar to our youth. I have written it for a home book, and a school book, hoping that, until a better is furnished, it may be deemed worthy of introduction into our seminaries, where the mass of our people begin and finish their education. Why should

not every boy and girl in our country be instructed in the nature and history of that government which our fathers founded, and which gives protection to the people, and looks to the people for support. What right have we—parents, guardians, teachers, citizens—to set the seal of darkness, of ignorance, upon the minds of children, in respect to this great subject, either by withholding or interdicting the means of light, in those institutions, where alone most of them can obtain it?

There is another point of great importance to be considered. The conviction is very general, that, by some means or other, *morality and politics are in a state of divorce* among a large portion of our political leaders. The monstrous doctrine that “*all is fair in politics*” is supposed extensively to prevail; and most of the profigacy we observe, most of the corruption, intrigue, selfishness, and destitution of patriotism, so notorious in high places, are imputed to the currency of this false and wicked philosophy. Ought not something to be done *especially*, to stay these mighty evils; something to teach the truth, that honesty is the best policy in government, as well as everything else—a concern in which we are all partners? Shall a few of the partners be permitted to swindle all the rest out of their share of the profits, and nothing be done, but to fold the hands in imbecile submission?

If something need be done, to remedy this great evil, how can it be better done than by beginning in that universal seminary—the common school; that seminary, which imparts to far the largest part of the community, all that can be technically called education? Why

shall we not begin in the way by which we may reach all, and with the most lasting effect?

Under the idea that this book may be introduced into our common schools, I have therefore sought to set forth the necessity of *honesty in politics*; hoping to do something to restore to favor that good old word, "so weary stale and unprofitable" to hack politicians—*patriotism*.

With these brief suggestions, I commit this humble work to the charity of the public, remarking, that in its preparation—being aware of the delicate task I have undertaken—I have earnestly sought not to write a line or sentence, with a view to party effect. I have endeavored not to cast a favoring hue or a disparaging shade upon either side of controverted questions. That I have wholly escaped error, real or apparent, is not to be hoped. If anything wrong be discovered, I shall esteem it a favor on the part of any one who will point it out to me, and I pledge myself to give it due consideration, if this work shall ever come to a second edition.

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CHAPTER I.

The First Ideas of Government and Law.



A father governing a family.

As soon as a child is of sufficient age to make observations, he perceives that he is guided and controlled by persons around him. He is required by his parents to perform certain actions, and is forbidden to perform certain others. Thus, the first idea of government is obtained; it is that of a power which influences, guides, and controls actions; a power that prohibits and prevents cer-

tain things, and that commands and requires certain other things.

After a time, the child makes further observations; he perceives that certain rules of action are laid down which he is required to follow, habitually. He is required, for instance, to come to his meal when the bell is rung; he is required every morning to go to school at a stated hour; he is commanded always to speak the truth; he is forbidden to take that which is not his own; he is forbidden to speak falsehood, or to injure the body or feelings of his companions.

Thus, the child acquires his first ideas of law, which he perceives to be general and fixed rules, by which action is to be regulated. Accordingly, the fireside rules are the first laws to which we are subjected; they proceed from the family government, which is vested in the hands of the parents.

The ideas of government and law are therefore very early ones, and, for obvious reasons, they make a deep and abiding impression. In the first place, these laws come from parents, whom children usually regard with affection and veneration. The parents are the protectors of children; the source from which their comforts and pleasures flow, and from whom their first knowledge is obtained.

Obedience to law, therefore, coming from such a source, would seem to be easy and natural; and it doubtless is so, provided the family government be well and wisely administered. And even though the passions of children lead them to frequent rebellion, the notion of obedience to laws, of obligation to regulate conduct by

certain rules, becomes a strong one at an early period.

This notion is deepened by the innate perception of right, implanted in every human bosom. As the eye perceives light, and pronounces it to be good, the soul perceives right, and pronounces it to be good also. As the mind is irresistibly influenced by the objects which light discloses, the soul is irresistibly influenced by the sense of right which the bosom finds and feels within.

Now, the child very soon perceives the utility of family government; the necessity of obedience, even for his own advantage; the obligation to obey from love, gratitude, and respect to parents, and from a regard to the good of the little empire of home. He sees that to obey is right, and feels constrained by that perception of fitness within, to yield obedience.

To these several strands, which are braided together, and constitute the motives to obedience, we may add that of habit—the habit of yielding to authority, to magistracy, to law; and the habit is created and established under the family government. Thus the fireside is a little kingdom, of which the parents are the sovereigns and the children the subjects. Here, children get their first ideas of government, of laws, of right and wrong, of justice and injustice, of obedience and disobedience. Here the first ideas of obligation to regulate our conduct by certain fixed rules are presented; here the habit of acting in obedience to such rules is first established.

It is no doubt a part of the plan of divine Providence, that habits of obedience to law, of surrendering our own will and wishes to a general rule,

Should thus be laid deep and strong at the fireside; or this is the sheet anchor of society. A child that has not learned obedience to parents is not likely to be a good member of society, and to obey the laws of civil government. A child in whose heart the perception of right has not been cherished and cultivated at home, is hardly likely to grow up a just and honest citizen.

It is therefore a matter for parents to consider, that the highest possible obligation rests upon them to teach their children obedience to law—to the law of right, of justice; the law of "do to another as you would have another do to you." It is the duty of parents to render this obedience a matter of principle and habit. All this is a duty required by God, as well to children as to society.

And it is a thing for children to consider also, that they are bound to learn obedience to parents. They are bound to learn to bow to the obligations of justice; they are bound to obey parents; to obey God; to obey the laws of the land. Obedience is the great lesson, and it is equally required by our duty to our parents, ourselves, our Creator, and our country.

CHAPTER II.

The second stage of knowledge of Law and Government.



Taking a thief to prison.

WHEN children are sufficiently advanced, they go forth from the parental roof, and whether in the field, the forest, or the street, they find that everywhere there is government and law.

If a child sees ripe fruit in a neighbor's garden, he sets out to get it, but is immediately told that he must not. He asks why he must not get it, and is answered that it is against the law. A boy is about to throw down a stone wall around a field, and is told he must not, because it is against the law. A young fellow wishes to ride into a neighbor's field of grain, but he must not, for it is against the law.

12 SECOND STAGE OF LAW AND GOVERNMENT.

A young person in reading a newspaper sees an account of a man who is seized and hurried away to prison for theft, and learns that thieving is forbidden by the law. In another paper the reader finds an account of some pirates being hung, because they robbed a vessel upon the high seas, and this, too, because such robbery is against the law.

Thus the law is seen to be everywhere, upon the land and the sea, in town and country; and the question soon arises, who makes the law? The answer to this is readily given; it is the government. But what is the government? Who is it, what is it, that has spread this net-work of prohibition and requisition over the land, involving every member of society in its meshes? Who administers the government? Who makes the government? By what means or instruments does the government operate? Why do people obey the government? How does it acquire such universal and decisive power?

To some, or perhaps all of these questions, which, one after another, arise in the mind, young persons gradually obtain answers; but these are usually imperfect and confused. I propose, therefore, to proceed to describe government, its origin, nature, and necessity; its various forms in different parts of the world, and especially that form adopted in our own country.

In the course of this delineation of government, I shall have occasion to exhibit the origin and sources of laws; the manner of their enactment; and the means by which they are made to regulate the conduct of mankind.

CHAPTER III.

The different Conditions of Mankind. The Savage State.



The savage state.

A PERSON who travels over the world will soon perceive that the people of different countries are in very different situations. The native Indians of America for the most part live by hunting ; they do not build permanent houses, but dwell in tents or wigwams, and they pay little attention to the cultivation of the earth. These people we call savages, because they are wild, rude, and cruel in their customs, manners, and feelings.

If we go among these tribes, we shall see certain things which always belong to a savage community. They have no books, and of course they cannot read ; they have no ships, and carry on no commerce by sea ; they do not build cities ; they have no great roads, canals, or other public works ; they are coarse and sensual in their tastes and feelings ; they have little sympathy for the sick,

the wounded, or the miserable; in religion they are superstitious, and inclined to idolatry.

In the savage state, the women are generally slaves, and are compelled to do the common labor of the household, to carry burthens, to toil in the field, and to do all the ordinary drudgery of life. The men are usually addicted to war, hunting, and rude amusements.

The lands are generally held in common. Among us, all property belongs to some individual, who alone has a right to it; but among savages, each person may cultivate any unoccupied spot he pleases; he may hunt where he pleases, and he may build a wigwam where he pleases.

Among us, all property belongs to some individual, who alone has a right to it. Thus, each man's house is his own, and no one can lawfully disturb him in the possession of it. It is the same with his land, furniture, money, and merchandise. With our western Indians, the property of each individual of the tribe is partially secured, but with many savages it is otherwise. In New Guinea, an individual may perhaps claim the bow and arrow he has made, or the wigwam he has built; but these are by no means secure from a stronger man, who may be disposed to take them away; and indeed it is usual among these tribes for any one to take whatever he desires for his use, provided another is not actually in the possession of it.

Among savages, there are no written or printed laws. The people have certain customs and if disputes arise, they are settled according to these. All communities have some government. Our American Indians are usually governed by

a chief, whose will is law. He is sometimes assisted by a council of aged men, who assemble on important occasions, and give their opinions. But these may be overruled by the chief.

CHAPTER IV.

The Barbarous State.



The barbarous state.

THE traveller, in pursuing his inquiries, will find various nations so far advanced beyond the savage state as to have permanent dwellings, and considerable cities; as to carry on commerce by sea; to have the art of working metals; to use the labor of the horse, or camel, or ox; to have a distribution of lands, and a division of property; but which are still without books in general use, without education among the people at large, without printed laws, and without any settled administration of justice.

Among such nations the governments are despotic, the people neither knowing nor asserting

their rights, but blindly submitting to power. Examples of such nations may be found in Morocco, Tunis and Tripoli, in Africa; in Tartary, Beloochistan, Thibet, Burmah, and other countries of Asia.

In such countries as these the will of the chief is law—no man there is secure of his life, his property, or his character. The chief may cause any man's head to be taken off, or his money and estates to be taken away, without trial, and without remedy to the injured, or retribution to the injurer.

Among such a people, there is no enlightened public opinion; no pervading sense of justice; no security for the weak against the strong, for the poor against the rich, for the citizen against the office-holder. Might makes right, and selfishness is the usual guide of human actions. In such countries, there are no established courts of justice; or if there are, they are corrupt, and overruled by the prince, or the men of wealth and power.

This state of society is called *barbarous*; for, though it is an advance from the savage state, still the ruling spirit of the nation is severe, unjust, unenlightened, and cruel. The minds of the people are not elevated by knowledge, nor are their hearts guided by a sense of justice.

This condition does not preclude the existence of pomp, luxury and refinement among the higher ranks. The chiefs and their favorites, are usually addicted to expensive and ostentatious modes of living. Their palaces are often magnificent, being fitted up with gorgeous tapestries, and resplendent with every species of dazzling ornament. But the proprietors of these palaces are

usually devoted to animal pleasures, and their refinement is generally displayed rather in sensuality than in intellectual pursuits.

CHAPTER V.

The Civilized State.



WHEN a nation has so far advanced in refinement as to have a well settled government, which ensures order; which has regular tribunals of justice, a general knowledge of the arts, a security for life and property, and, above all, books, which are diffused and read among the mass of the inhabitants—we say it is in a *civilized* state; for civilization implies refinement of manners, a knowledge of the useful arts, and a general diffusion of knowledge.

Among the civilized nations, we may place the United States, most of the nations of Europe, China, and some others of the Eastern continent. There are some nations that can hardly be classed

as either barbarous or civilized, but are rather *semi-barbarous*.

Such a nation are the Turks of Europe, who have many marks of civilization; as, for instance, they have a general sense of justice, much intelligence, some books, many ingenious manufactures, considerable commerce, and a settled government. But they are still destitute of courts of justice, which, in general, protect life and property. Might is too often the rule of right; woman is the slave of man; the office-holder is above the citizen; the sultan and his favorites may trample on justice with impunity.

Nearly the same may be said of Egypt, Persia, and most of the nations of India. In all these, there is a defective morality, a loose state of public opinion, a want of justice in private dealings, and an insecurity of life, liberty and property.

The civilized state does not necessarily exclude tyranny and oppression, for among some of the civilized nations of Europe, as Russia, Spain, and Austria, there is much of both. Nor does the civilized state necessarily include a system of government which distributes equal justice to all; which places the poor on a level with the rich, and the holder of office on the same footing as the citizen. Most, or all the governments of Europe, exhibit some defects in these respects.

Civilization implies a state of advancement towards perfection in human society. All that tends to make a people wise, happy, free and prosperous, tends to raise them in the scale of civilization. All that tends to make a people less wise, less happy, less free, or less prosperous, tends to sink them in the scale of civilization.

In fixing the comparative degree of civilization to which any country is entitled, we have to consider the situation of the whole people in respect to wisdom, happiness, freedom and prosperity. Judging by this rule, we may claim the first rank for our own country, and after this, England, France, Holland, Belgium, and Prussia. The other nations of Europe may be ranked as follows: the German nations generally; the Swedes, the Swiss, Danes, Spaniards, Italians, Greeks, Russians, and Turks.

CHAPTER VI.

Society—Civil Society.



SOCIETY is a collection of individuals, united by certain ties or obligations. A family is a society, united by the ties or obligations of parents to the

children, and children to the parent. These ties and obligations are founded in the best good of the whole family: that is, the parents are bound to fulfil certain duties, and the children to fulfil certain duties, because the best good of all is concerned.

Thus any number of individuals, united by certain ties, constitute society; but a society may be instituted for particular purposes and of a limited nature. An insurance company is a society, for special objects, and its obligations are restricted to these.

Civil society is that of the state, in which all the people are united under a government for the best good of all. This civil society, constituting the state, is society of the highest and most important kind, because it involves the happiness of all, and reaches every interest and transaction of life.

The obligations of civil society, or obligations to the state, are therefore deserving of great attention, because they relate to the happiness of the whole nation, and to all the interests of every individual.

Thus, in all the several conditions in which mankind are to be found, whether in a savage, barbarous, or civilized state, we observe three things—where several people live together, there is society; and where there is society there is government, and where there is government there is a multiplied system of obligations imposed upon all the members and subjects of it.

If a man lives alone upon an island, or in any other situation where his actions have no influence on others, then he is a solitary, not a social

being; but the moment he lives with another, society begins, and mutual obligations follow. He is no longer independent and at liberty to act for himself alone, but he is bound by the great rule, "Do to another as you would have another do to you." When a government is established, civil society begins, and the duties and obligations are extended to the whole community.

CHAPTER VII.

Individual Property.

I HAVE already said that in some countries property is held in common; there is no distribution of it to individuals: the idea of *mine* and *thine* does not exist. In this state of society there is never any advance in civilization: the people are always in a savage state.

As society advances, the custom prevails for an individual to claim as his own, what he acquires by his toil, his enterprise, or his ingenuity. The advantages of this are soon seen; for, stimulated to exertion by knowing that what he acquires he can have to his own use and benefit, each individual is induced to be industrious, and to put forth his best efforts.

The consequence of this is, that property is increased, the various arts are promoted, the comforts and necessaries of life are multiplied. Thus the state is enriched, and the whole community is benefited. In order to obtain the full advantages

of this system, laws are enacted to secure to each individual the acquisition of his labor, skill, and exertion; and a community is usually happy, prosperous and civilized, in proportion as his acquisitions are thus secure.

On the contrary, a community is usually poor, rude and uncivilized, in proportion as the acquisitions of the people are insecure; for if a person knows that the fruits of his exertions may be taken away by the government, or the privileged classes, or the powerful, he is discouraged, and will usually make little effort to secure property beyond the mere wants and necessities of life.

Such is the importance, therefore, of security of property to individuals, that, in civilized countries, by far the largest portion of the laws, and the most important functions of government, have this for their object and end.

A right of a man to the property he acquires, involves other rights, such as liberty to employ his time, thoughts, and faculties as he pleases: where property is secure, therefore, freedom is secure. But of this topic I shall have occasion to speak hereafter.

CHAPTER VIII.

Justice—Civil Justice.



JUSTICE is the measuring out to each individual what is his due, according to the inflexible law of right. Justice is frequently personified, and represented as holding a pair of balanced scales, indicating its disposition to estimate things by the true and even standard of right.

Political or civil justice, is the measuring out to each individual what a man may claim according to the laws of the land. If the laws are founded in absolute justice, then political or legal justice coincides with absolute justice.

The perception and feeling of justice, is as much a part of man's nature, as his perception of color or feeling of beauty. As there are persons who are idiots, and others who are insane, there may

be individuals so stupid, ignorant, or debased as not to perceive, or but faintly, what justice is, and not to appreciate the obligation of obeying its dictates. But there is no nation at large among whom a sense of justice—a perception of right, and an obligation to follow it—does not exist, and where it does not tend to guide or govern the actions of men.

This intuitive perception of justice, with an attendant conscience, demanding its observance, though innate and natural, may be greatly weakened or dulled by the usages, customs, and habits of society. In proportion as the mind is enlightened, this perception becomes clear and strong; but the fullest exercise of justice, is ensured by adopting the belief and practice of Christianity.

It seems to be a fact that no people have ever practically adopted justice as the basis of government, and the guide of society, except in Christian countries. However man may be endowed with natural perception of justice, he seems to need the illuminating and purifying spirit of Christ, to keep his mind clear and his heart right.

CHAPTER IX.

Human Rights.

If justice is giving to every man his rights, in order to deal justly, we must inquire what the rights of man are. The scripture rule, indeed, is an admirable guide in the practice of life—it tells

us to do to another as we would have another do to us. It is rare indeed that, if an individual will follow this rule, he will do injustice to any one.

But it is still necessary, in the formation of government and the enacting of laws, to ascertain what human rights are, lest they should be infringed or violated; and it is the duty of those who frame laws, to see that these rights are, as far as possible, secured.

The general *rights of man* are life, liberty, and the pursuit of happiness; that is, a man has a right to his life, and the free exercise of his mind; he has a right to his personal liberty, which is freedom to go where he pleases, and act as he pleases; he has a right to pursue happiness in his own way—to eat, to drink, to sleep, to speak, read, write, how and when he pleases—provided that, in all this, he interferes with the rights of no other person. These are the abstract or natural rights of man; and may be limited, or abridged, or taken away, only for the public good.

The basis of human rights is liberty; and this consists in a man's right to himself—to his body, to his mind, and all his faculties, with the power of exercising them in his own way, so far as he does not injure others. The value of liberty, therefore, as a means of obtaining happiness, is beyond price; and accordingly we find that our wise forefathers fought, and bled, and died to obtain it for themselves and their descendants. Still, it will be seen hereafter, that our natural rights or our natural liberty, are abridged by the laws of society, and that a person is bound to give them up, as far as the greatest good of the greatest number, requires.

CHAPTER X.

Liberty—Absolute Liberty; Natural Liberty



Natural liberty.

LIBERTY is freedom from restraint. In its widest sense, it is the free permission to exercise our powers of body and mind as we please, without hindrance or restraint. This is *absolute liberty*. According to this, a man might take away another's property or life; or enslave another man; or make him the tool of his pleasures or caprices. According to this, a strong man might use a weak one as he pleased, or the cunning man might cheat or circumvent another, and thus take away his life or property, or make him the slave of his pleasures.

This is liberty without law. Such liberty as this could exist only in theory, for where society has enacted no law, the obligation of justice exists.

A savage is as truly bound by the golden rule, "do to another as you would have another do to you," as a member of civilized society; for even the savage has a sense of right and wrong. Truth and justice are intuitive perceptions and feelings, in every human soul, and conscience enforces their observance. Every human being, therefore, has his absolute liberty abridged, by notions of right and wrong, anterior to the formation of civil government.

Practically, absolute liberty would be the harshest kind of tyranny, for it would immediately result in making the weak, the slaves of the strong. Not only would the weak, therefore, be deprived of liberty, but of justice. In this state of things, no man is free, except the strongest man; he alone has power to act as he pleases; all the rest are his slaves: so that a community endeavoring to establish absolute liberty, immediately make all the members but one, the slaves of a master whose might is the rule of right.

Absolute liberty, therefore, as said before, immediately runs into despotism. It is a thing that can only exist where one man, like Alexander Selkirk, or Robinson Crusoe, is alone upon an island, and "monarch of all he surveys." Absolute liberty, in society, is a practical absurdity—an impossibility.

Natural liberty is freedom from restraint except so far as is imposed by the laws of nature. According to this, a man may speak, act, and think as he pleases, without control; in this sense, it is synonymous with absolute liberty. But it is often applied to a state of society, where restraints do actually exist; as, for instance, among

savages, even where property is held in common, and where of course there is no theft, there are still obligations, rules, and restrictions, of some kind.

The coward is punished with death; the parricide is banished; the traitor is shot. Every member of such a society is under certain restraints, and certain abridgments of absolute liberty. If one is guilty of cowardice, he consents to lose his life; if he kills his parent, he consents to be forever cast out of his tribe; if he betrays his nation, he agrees that he shall be slain by an arrow. Thus he is restrained from cowardice, killing a father or mother, or betraying his country; all of which are abridgments of absolute liberty.

Thus, in the simplest and rudest stages of natural liberty, as put in practice among mankind, we see certain restraints upon absolute liberty, established by the laws or customs of the nation. But, in point of fact, other restraints are put upon the largest part of the community; for in such a state of society the weak are obliged, for the most part, to bow to the strong. If, indeed, the weak are protected from the strong, then the strong are restrained, and so far natural or absolute liberty, is abridged. If it is not thus abridged, if the weak are not protected from the strong, then they are the slaves of the strong. In this state of society, where natural liberty is said to prevail, the mass are subject to the despotism of a few; the weak are the slaves of the strong. A state of natural liberty, is, therefore, practically, a state of tyranny on the one hand and slavery on the other.

An illustration of this is found among the

animal tribes. Among the fowls of the barnyard, there is no law : the males meet in conflict, and the strongest or most active becomes the master. Among a pack of wolves, or among dogs, the question who shall have the bone, is settled by fighting it out, and the strongest has it. The law of nature, then, is a law of force: where there is no other than natural law, might is the only rule of right.

Even if all men were virtuous, a state of natural and universal liberty could not exist—for virtue itself implies an observance of rules, obligations, laws. A virtuous man will not steal; therefore, his liberty in this respect, is restrained. It is restrained by law ; and the only difference between this restraint and that of civil government, is, that God enacts, and his own heart enforces, the law.

Civil government is founded in the idea that men are not all virtuous; that men will not enact and observe just laws individually and of themselves; and therefore, to secure order, peace and justice, government must enact and enforce laws, and thus abridge natural or absolute liberty.

Experience, in all ages, has taught the lesson, that among men, as well as among animals, there being some strong and some weak, the former will ever seek to get the advantage of the latter. Thus government steps in to protect the weak against the strong; to substitute justice for force, right for might.

CHAPTER XI.

Civil Liberty.

CIVIL liberty is freedom to think and act as we see fit, except so far as the good of society may require abridgment and restraint. A man has a natural right to all he gains by his honest labor, but in civilized society he consents to be taxed, and thus part with a portion of his earnings, to sustain the government, on the ground that it is best for the whole, and for himself among the number, to have a government. A man has a natural right to walk or ride where he pleases; but in civilized society, he consents to have his absolute liberty so far abridged, as not to have a right to ride or walk in his neighbor's garden or parlor, or on the sidewalks of a city.

Thus, in a great variety of ways, a member of civilized society consents to have his absolute liberty abridged; he consents to be obliged to serve on juries; to be compelled to do military duty; to forego the privilege of selling noxious drugs; of dealing in gunpowder, except under license; he consents to be obliged to buy his wood, fish, flour, and various other articles, only when inspected.

He consents to all these restraints and privations, not because they are good in themselves, but because society is benefited, and he is himself better off than he would be, if such restraints did not exist. He gives up some of his natural rights, some of his absolute liberty, for a greater good, which is, security to the remainder of his rights.

This is the great principle on which civilized

society rests; it is the basis of all good and well ordered government. All government is restraint and abridgment of our natural and absolute liberty. But government is necessary for the security of our lives, our property, our houses, our families, our characters. Without a good, stable, and well ordered government, nine out of ten, being the weaker, must be the slaves of the stronger. A good government places the weak and strong on the same level; it sets up a standard of right, and restrains that of might; it weighs everything in the balance of justice, and does not decide questions by force or violence.

It is in order to secure justice, that men in civilized society, give up certain portions of their absolute liberty, or absolute rights. They give up a part to secure the remainder. Thus, if a man has a property of 10,000 dollars, he consents to be taxed fifty dollars a year; and what he gets in return for this, is the obligation of the government that he shall securely enjoy the remainder. Without this security, the strong man, or several men combined, might come upon him, and by violence take all his money away, and he could have no remedy. But by paying fifty dollars a year he secures the enjoyment of the remaining 9,950 dollars. Thus he yields a part of his liberty or his right, to secure a greater and more important good.

In a civilized society, the laws are numerous, and as each law is an abridgment of some portion of absolute liberty, it might seem that all liberty would be taken away. But still, it appears that all liberty, essential to happiness, is compatible with a complete system of laws; and in fact where

the laws are just, and most completely carried into effect, there is the greatest amount of practical liberty. When a just law is transgressed, an injury is done to the rights and liberties of at least some member of society; where just laws are most strictly observed, there is the greatest equality of rights, and the greatest amount of practical liberty.

If you were to go among the savage tribes of New Holland, you would see that the lands, dwellings, and most of the property are held in common. You would see that each person seems to go where he pleases, to take what he pleases, and to think and act as he pleases. You would find among these people no book of statutes or laws; you would find no court-houses, no jails, none of that mighty machinery, which belongs to the making and enforcing of laws among us. You would perhaps be ready to say that here is a people in the enjoyment of absolute liberty, or if indeed it be abridged, it is in a very slight degree.

But examine a little closer. You see a savage making a bow. He toils at it, day by day, for a month. Nothing can exceed the patience and care with which he selects a stick, shapes it with a sharp stone, bends it so as to retain the proper shape, and finally finishes it by covering the ends with a coating of sinews. It has cost him a month's labor. And now for a quiver of arrows! Here is another long and tedious job. It takes two or three days to make a good arrow, with a savage's tools. After another month's toil, the quiver is finished.

Now, would you not say that this bow and this

quiver of arrows, were of right the property of this savage who has made them? They are the product of his toil, his ingenuity, his sacrifices. Common sense tells us that they are his. That a man is entitled to the productions of his own industry and skill, is a point as clear and as natural, as that two and two make four. But, among savages, if absolute liberty prevails, the first Indian who sees the bow and arrows made by another, may take them away and appropriate them to his own use. If he may not, then absolute liberty does not prevail. If he is restrained by any rule, or custom, or sense of justice, then there is a restraint upon his natural or absolute liberty.

But let us look a little further into society. One of the savages builds a hut, or wigwam. Is it his, or not? If absolute liberty prevails, it is his, for surely freedom implies a right to the free enjoyment of what a man produces by his toil. But we see that all things are held in common with these savages. Of course, then a man has not a legal right to the possession and enjoyment of what his labor creates. Here, then, at the outset, is a blow at the very foundation of liberty, for what a man himself produces is taken away, and made the property of society. The first principle of such a society seems to be wholesale robbery.

Let us examine further. We shall see that, in point of fact, even in this rude state of society, there are various rules, customs and opinions, which have the force of law, and which do impose restraints upon the actions of men. But we shall notice one thing, that, as the laws are few, imperfect, or ill administered; just in that proportion our life, property, house, home, and character are inse-

cure; and if these things are insecure—if life, the property acquired by industry, the house, the home, the fireside, the wife and children, domestic comfort, character—all that we love and cherish and toil for—if these are liable to be taken away by the strong or the violent, of what value is liberty? Is there such a thing as liberty, where these rights are insecure?

Is not society thus situated, subject to the despotism of force? and do we not see that in rude and savage tribes, where at first view we might say there was most liberty, in point of fact, there is the least liberty? And does not this prove that the members of civilized society, in giving up some rights to secure the rest, do, in fact, enjoy more liberty than the tribes where the laws are few, and where liberty might seem least abridged? In short, does it not appear that a member of civilized society makes a good bargain in giving up a few rights, by which he obtains security to life, property, and character? And does it not appear that it is wise and right to submit to the laws of civilized society?

CHAPTER XII.

Illustrations, showing that Government promotes Practical Liberty.

In order to show that the amount of liberty actually realized and enjoyed by society, is greater where there is a complete system of laws, than

where there is no law, or but little law, let us suppose a few cases.

In our own country, we have numerous laws. Whenever any evil arises, or any great good is desired, the law-makers seek to avert the one and secure the other by legislation, if it is within their proper reach. The consequence is that almost every transaction of life, is regulated by laws. Now let us see if these, which are restraints or abridgments of theoretical liberty, do not actually increase the amount of practical liberty.

We have defined civil liberty to be freedom to think and act as we see fit, having due regard to the good of society. Now where would you think or act most freely, in Massachusetts, or among a savage tribe? Here in Massachusetts, you travel about in safety, for robbers are punished ; you sleep in security at night, for the thief and house-breaker are punished. You think as you please, for no man dares to tyrannize over another's thoughts. You can do what you please with your time and your property, for he who would interfere with these, is deemed a trespasser, and punished by the law.

Now suppose you were among the western Indians, where natural liberty prevails ; where there are no written laws, and few laws of any kind which impose restraints upon society—should you there enjoy more actual freedom than in Massachusetts? On the contrary, would not your life be in constant danger—would not you be a slave to fear? Could you travel about in safety ? Would not your property be exposed to robbers, your person to captivity?

Does not this comparison show that where

there are numerous laws, the people enjoy most liberty? But let us look at particular statutes, and see how these promote practical liberty. There is a law that no man shall keep and sell gunpowder, unless he is licensed. The object of this is, to prevent quantities of gunpowder from being in the hands of careless people, where it might explode, and destroy lives and property. Now as this law protects life and property, it promotes liberty, which consists, to a great extent, in the possession and security of these.

So the law which requires dealers in wood, fish, flour, &c., to have these articles inspected before they sell them, as it is designed to prevent people from being cheated, and unjustly deprived of their property, tends to secure to a man his rights, and therefore promotes civil and rational liberty.

Thus it appears that every law tending to make life, property, character, and the pursuit of happiness secure to man, though it restrains absolute liberty, actually increases the amount of practical liberty enjoyed by society. Does not this show that it is the interest as well as the duty of every man to support good laws?

CHAPTER XIII.

Recapitulation.

FROM the preceding observations we deduce the following propositions. 1. *Liberty* is freedom from restraint. 2. *Absolute liberty* is freedom to think, act and speak as we please, without hin-

drance or control. 3. *Natural liberty* is substantially the same thing as absolute liberty: but such kinds of liberty can only exist in theory, or where one man lives alone, entirely cut off from all connection with his fellow-men; for, in the first place, moral obligation to be just, to do to another as we would have another do to us, rests upon all, and is enforced by conscience, prior to the passage of laws by society.

And in the second place, in rude or savage society, where there seem to be the fewest laws, and the nearest approach to natural or absolute liberty, there is, in fact, the least practical liberty, and the most thorough despotism. The very first principle of liberty is grossly violated by the elementary law of savage society—a community of property—which confiscates to the use of the whole, what a man obtains or produces by his own industry and skill.

In civilized society a man gives up some of his rights, or a portion of his liberty, to ensure the free enjoyment of the rest: he pays a tax, for instance, to support the government; in consideration of which, the government is bound to secure to him the enjoyment of his life, his thoughts, his property, his home, and his character.

Every law is a restraint and an abridgment of absolute or natural liberty. A law against murder, imposes the restraint of not killing a fellow-man. Thus laws against stealing, wounding maiming, cheating, swindling, setting houses on fire, defaming a man's character, breaking into a house with intent to steal, robbing on the highway or the high seas—all these impose certain restraints on natural liberty. In these cases, the laws

of society are founded on obvious principles of morality, and do but enjoin and enforce the obligations of justice, founded in every man's conscience. These laws are abstractly right, and it is no evil or injustice to be compelled to observe them.

But the laws which compel a man to pay taxes, to do military duty, to serve on juries, are, abstractly considered, evils. A man has a natural right to his money and his time, and the law which takes a part of these away, takes away a part of that which the moral law allows, and the natural law of liberty, gives. But in society, a man surrenders a portion of these, or, in other words, submits to one evil, in order to prevent a greater evil, and at the same time to secure a good.

In a community where the laws are fewest, and most imperfectly enforced, there is the most injustice, and the greatest abridgment of natural liberty, in practice. There, life, property, and character are the least secure, and there, human rights are most violated.

Where the system of laws is most complete and best enforced, there is the greatest practical liberty. In other words, in society, where the laws greatly abridge the natural liberty of the citizen, by clipping off many of his lesser privileges, still, by rendering him free to travel about in safety, to enjoy his home and fireside, and to keep secure possession of his property, to enjoy his fair character, to enjoy freedom of conscience, and the free exercise of his faculties, the law makes full compensation for the sacrifices it requires.

4. *Civil liberty*, is freedom to act, think, and speak as a man pleases, without restraint, except

so far as the good of society requires. A member of society can reasonably ask no other than civil liberty; for, in the first place, the laws impose no greater restraint upon him than upon others, and in the second place, this kind of liberty is the only kind that can be enjoyed by a whole community.

CHAPTER XIV.

Equality.



As some persons have fancied that society could realize a state of absolute liberty, so some have fancied that a state of *absolute equality* could be attained. It is said in our Declaration of Independence, that "all mankind are created equal;" and this has often been taken as literally true.

But absolute equality is as impossible as abso-

lute liberty. In the first place, mankind are not born equal in respect to civil condition. Some, as the serfs of Russia, are born slaves; in this country too, in some of the states, certain individuals are born to servitude, while others are born to enjoy freedom.

There are other grounds of inherent and necessary inequality. One person is born with a good constitution; another is sickly from the cradle. One person is endowed with a strong mind, another with a weak one. One person is gifted with beauty, another with deformity. One has natural grace, another awkwardness.

The surface of the earth, thrown into hills and valleys, with mountains whose tops mingle with the clouds, and ravines that never see the sunlight—meadows that bloom with flowers, and deserts that know no living thing—plains and sloping hills, covered with forests—and rocky regions where no tree can root itself—all this diversity of nature presents not more inequality than the conditions in which mankind are born. The whole system of nature and providence, shows it to be the design of the Creator and moral governor, that there shall be diversity in human society, as well as in nature.

Beside, even in those countries where there is the greatest freedom, and the nearest approach to equality in society, even there, mankind are neither born free nor equal, in the view of the law. If we take no account of slaves, still the children of white persons are not born free; they are under the control of their parents till they are twenty-one years old.

Females, who constitute a part of mankind,

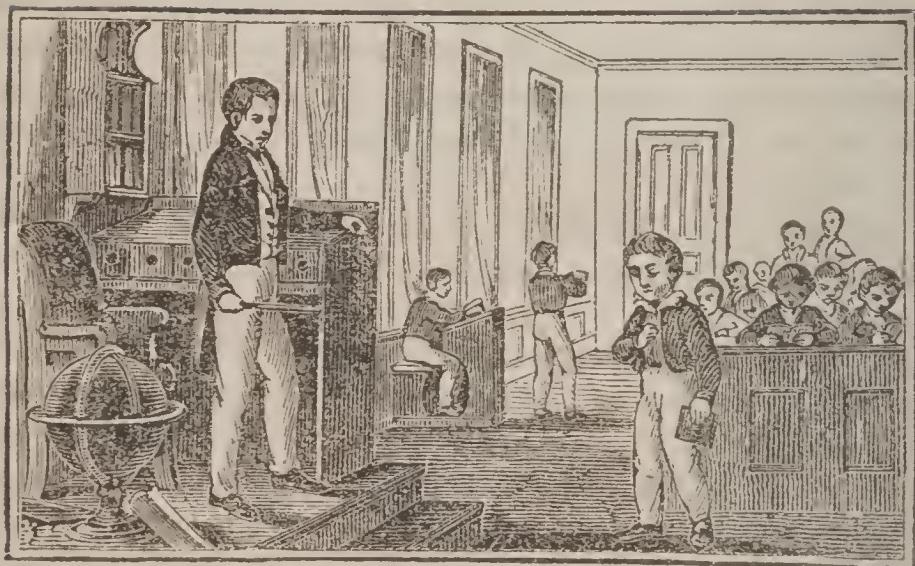
and whose natural rights are the same as those of men, are never placed on an equality with men before the law. They are never permitted, even in forming the constitution of a country, nor in enacting the laws, nor in choosing rulers, to use the right of voting. They are excluded from all share in the government, by the stronger sex, who proceed to make such laws as they please; and in all countries these laws exclude women from political power.

It appears, therefore, that mankind are not born free and equal, in a literal sense. In what sense, then, can it be truly said that men are created equal? Only as meaning that all the members of society are born with a just claim to civil liberty—to that freedom which is compatible with the general good, and to an equality of rights. It means to say that those laws which make one man a lord and another a serf—which make one a citizen and debar another in the same condition, from the right of voting—are violations of the principles of justice and the rights of man.

While, therefore, equality of condition is out of the question, one thing is plain,—that equal rights, equal laws, and an equal administration of these laws—so that the rich and the poor, the high and the lowly, the citizen and the office-holder, shall all stand on the same footing—are the ends and designs of a good government; and every person should so use his power as to establish such ends and designs. Equality does not mean that a woman shall be equal to a man, or a child the same as a man; but that all women, all children, all citizens, shall enjoy the same relative rights, privileges, and immunities.

CHAPTER XV.

Civil Government.



Government of a school.

Civil government is that system of laws, whether written or printed, or transmitted by custom, which is established to secure and promote justice and order. Without government, society would be in a state of anarchy. In a family, government is necessary; it is also necessary even in a school-room. Without civil government, the rights of man would not be respected; life and property would not be safe. In such a state of things, robbery, plunder, and murder would be the common occurrences of life. No attempt to obtain peace and order without government, has ever succeeded. Men are not virtuous, as a mass, and therefore the power of government and the force of law are required.

Thus, as before remarked, in all societies, government of some kind, becomes a matter of necessity; and all government may be considered as giving up some portion of our liberty and our rights, to secure the remainder.

In a society where the people possess absolute liberty, the many are rendered immediately the slaves of the few; the weak are subjected to the strong; despotism is ever ready to take possession of a community, contending for absolute liberty. It is indispensable for the security of order, justice, peace and happiness, that society should form a government, and submit to the restraints it imposes. No other mode has yet been found, by which the whole community can enjoy even a moderate degree of liberty and happiness.

A man who expects to enjoy liberty without paying for it, without surrendering a portion to secure the rest, judges and acts as foolishly, as one who wishes to rear a crop of Indian corn, but yet is too stingy to furnish the seed to plant.

A member of society, in giving up a part of his liberty to secure the rest, acts on the principle of insurance, in which a man gives five or ten dollars to have his house or property insured against fire, for one year. Government is a kind of mutual insurance against robbery, plunder, murder, and injustice. Government has been compared to a partnership, in which all have shares, each one participating in the profit and loss of the concern.

The great problem of government is to find out the utmost enjoyment of liberty, compatible with the good of society. Every law should be considered in two points of view: first, how far it abridges natural liberty, and how far, therefore, it

is an evil: and secondly, the good it will do by prevention of evil, or by the direct procurement of benefit to society. Every act of legislation should be tested in this way: and no act should be passed, which, after such an examination, does not promise a balance of good.

Government is sometimes spoken of as a *social compact*—an agreement between all the members of community. This is rather a definition of what government should be, than what it is. In the United States, where the people make the government, it may be called a social compact or agreement between the members of the community: but in Russia, where the people at large have nothing to do with making the government, it can hardly bear this designation. The government is there forced upon the people, and established without their co-operation.

It may be indeed said that submission implies assent, and that this submission makes the people parties to the social compact or agreement: but we know that in many cases, this assent is extorted by military power, or other circumstances which control the freedom of the citizens. There can be, strictly speaking, no compact which is not freely entered into by all parties: any government, therefore, which is founded in force, which has not the free sanction of the people at large, is not a social compact. The origin and binding force of government will be hereafter discussed.

CHAPTER XVI.

Government continued.

GOVERNMENT, it will be understood, embraces three distinct things: 1st. The system or *form of government*, usually founded upon some constitution, either written or sanctioned by the people, or established by usage; 2d. The *statutes and laws*; 3d. The *administration*, consisting of the officers, appointed to see that the laws are obeyed, and the action of the government sustained.

The system or form of government of the United States, is prescribed in a written constitution, sanctioned by the people. The statutes are the laws enacted by congress, agreeably to this constitution. The administration consists of the president of the United States, his secretaries, &c.

The system or form of government of Massachusetts, or New York, or Ohio, or any other of the separate United States, is also prescribed by a written constitution, sanctioned by the people of the state. The statutes consist of the laws passed by the state legislatures; and the administration consists of the governor and his immediate officers. No law is binding that violates a constitution, for the makers of the laws have authority to act only by that instrument.

In Great Britain, the form of government is prescribed and sanctioned by usage, and not by any particular written document. The laws are the statutes enacted by parliament and signed by the king; the administration consists of the king and his ministers. In France, there is a written con-

stitution ; the laws are enacted by a parliament, and the king with his ministers are the administration. Many of the systems of Europe are similar to that of France, while others are despotic.

There is another division, belonging to the governments of most civilized countries, which distributes the powers of the rulers into three branches : 1st, the legislative, or law-making power : 2d, the judicial, or judging power ; and 3d, the executive power.

CHAPTER XVII.

The Legislative Power—the Legislature.



The House of Representatives at Washington.

THE *legislative power* is usually vested in a certain number of persons chosen by the people, or a portion of the people, for that purpose. These

are commonly divided into two branches, called the upper and lower house.

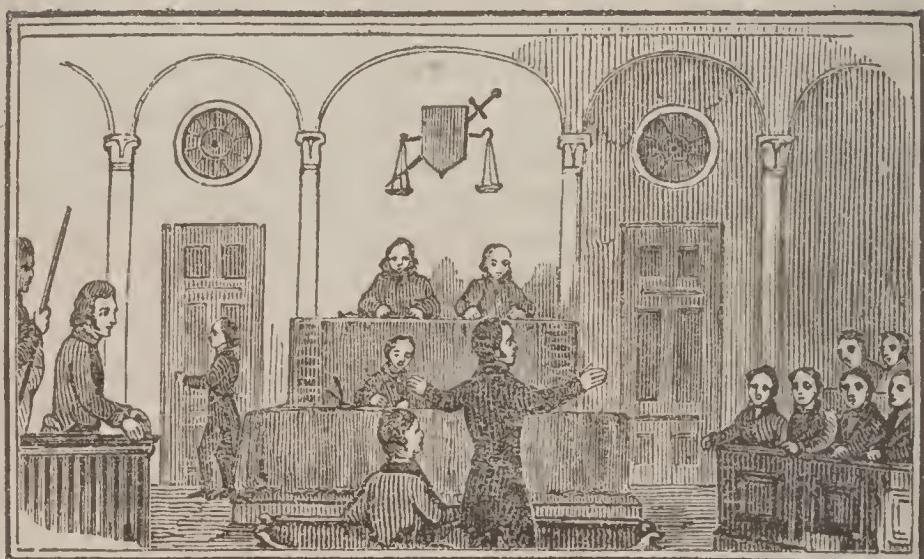
These two bodies of men usually assemble in two different rooms in the same building, and discuss various acts, resolutions, and laws. When a law is introduced into either house, it is called a bill. It is read by the speaker or president of the house, and after being sufficiently discussed, the speaker or president puts it to vote; that is, he calls upon the members in favor of it to say *ay*, and those opposed, to say *no*.

If there are more ayes than noes, the bill passes; if not, it is lost. The bill being passed, is sent to the other house. It is there discussed, and voted upon. If it passes, it goes to the governor or president, or king, and if he signs it, it becomes a law.

This is the usual mode of making laws, or of legislation, in civilized countries. In savage or barbarous countries, where there are no written laws, of course there is no legislature; all power, legislative, judicial or executive, being absorbed by the king, or chief, and his immediate officers and dependents. Where such a state of things exists, the people have nothing to do in making the government. All they are required to do is to
~~submit~~.

CHAPTER XVIII.

The Judicial Power—the Judiciary.



A court of justice.

THE *judicial* or *judging power*, is exercised by courts. A court of justice usually consists of one or more judges, with a sheriff and a jury. This being a most important branch of government, we should be careful to understand its nature, duties, and functions.

If a man is charged with any breach of law, he is brought by the sheriff or constable before the court—the charge having been made known to him. He may either defend himself, or he may employ a lawyer to defend him.

The case is stated to the court, and then witnesses are brought forward to prove the facts. No witness can testify, unless he takes an oath, which is a solemn declaration that he will tell the truth, the whole truth, and nothing but the truth.

The witnesses against the man are examined,

and then the witnesses in his favor. Then the jury, which consists of twelve men chosen from the people, take into consideration whether the man has actually broken the law, as charged. Their decision is called a verdict, and is either *guilty* or *not guilty*.

If it is not guilty, the man is acquitted and released. If it is guilty, then the judge proceeds to pronounce the penalty of the law, and this is called the sentence. If the sentence is death, the man is executed by the sheriff; if the sentence is imprisonment, he is shut up in the jail; if the sentence is a fine, he is required to pay the money.

CHAPTER XIX.

The Executive Power.

THE *executive power* is placed in the head of the government, whose duty it is to see to the execution of the laws. In Massachusetts, New York, Ohio, and each of the United States, the executive power of each state is chiefly vested in a governor.

The executive power of the United States is vested in a president, who appoints various secretaries to assist him, and these are called the *cabinet*. In England, the executive power is in the king, who appoints various agents called ministers, and these exercise the executive power in the name of the king.

In this country, a president's duty is to administer the government, that is, to carry it on:

to appoint various officers necessary for this purpose; to see that the acts of Congress are observed and fulfilled; and if necessary to enforce the laws passed by Congress; to see that the navy is taken care of; to see that the army is provided for and properly employed; to see that the public property is secure; to see to the general interests of the country, so far as the laws place them under his care.



The president and his cabinet.

Thus the president carries on, or administers, the government; and therefore we call him, with his advisers and assistants—the cabinet—the *administration*. We also sometimes call the acts of a president, his administration. Accordingly, we speak of Washington's administration, Jefferson's administration, &c.

The duty of a governor of a state, is to see that the state laws are executed, and that the acts of the state legislature are fulfilled. He appoints various officers to assist in administering or carrying on the government, and he has a general charge over the public interests of the people. He is the commander-in-chief of the state militia, and may

call upon them to aid in executing the laws, in suppressing insurrection, or repelling invasion.

Let it be remembered, then; that the *legislature* makes the laws; the *judiciary*, consisting of the courts, interprets and applies them; and the *executive* executes or fulfils them. These are the three great powers of government; and wherever government exists, these must exist.

These powers ought always to be placed in different hands, and to be independent of each other; for if the same person may make the laws, interpret and apply them, and at last execute them; then it will be seen that the powers of government are so vested, that they may be used according to the interest, passions, or caprices of the ruler. Such is a government of man, and not a government of laws.

To illustrate this, suppose the president of the United States may pass a law; suppose he may also interpret that law, and at last suppose he may put it in force—it is obvious that if he can do all this, he is a despot, for his power is unlimited; and there is no difference, in spirit, between our government, in this case, and that of Russia, Spain, or Turkey. If one man does, either directly or indirectly, engross the three powers of government, he is a despot; and exactly in proportion as a ruler acquires and exercises either legislative or judicial powers, he is despotic.

In despotic countries, the three powers of government are usually placed in the hands of the emperor, king, or chief. The sultan of Turkey, for instance, makes the laws, has them interpreted as he chooses, and has them executed as he chooses. Such is a government of man, and not a

a government of laws. The lives and property of the people in Turkey, are therefore subject to the whim or caprice of the sultan.

In some barbarous countries, as Tripoli, Morocco, Tunis, &c., there are no published laws, or if there are, they can be set aside by the chief, and new ones be made at his pleasure. All the powers of government are vested in the chief, and he governs the people as he chooses. Such a government is always found to be cruel, unjust and oppressive.

CHAPTER XX.

Forms of Government.



A patriarch.

As we find no countries without government, so we find no two governments precisely the same. In Tartary and other parts of Asia, and in Africa,

there are wandering tribes who have numerous horses, camels, and horned cattle, with which they move from place to place, in search of pasturage; their chief subsistence being derived from their flocks.

Among these people, some aged man, of great experience and worth, is usually the chief. He is called the *patriarch*, which means the father of his people; and this idea furnishes the basis of his government; for he is expected to rule over the tribe, as a father would govern his family. This patriarchal form of government is of great antiquity, for Abraham was the chief of a pastoral tribe, and was its patriarch.

Another form of government exists in warlike tribes, where one warrior, more daring, strong, or sagacious than the rest, acquires an ascendancy,



Military chieftain.

and at last becomes the chief. If he be ambitious he usually goes on to engross all power in his own

person, and becomes a dictator. This is the government of a *military chieftain*.

When society becomes more advanced, and men live in cities, the military chieftain usually builds himself a palace, and becomes a king. He wishes to strengthen and establish the throne; so he claims to reign by the appointment of God; and, in order to make a strong impression upon the people, he lives in great state, affects to be the favorite of heaven, and maintains that his person should be held sacred. He causes loyalty, which is love of the person and government of the king, to be taught as a noble sentiment, and a duty, not inferior to that of the love of God.



A king.

Such a king, in order to strengthen his government, and perpetuate his dynasty, usually takes care to provide that his oldest son, or his heir, shall be his successor; and thus makes the crown

hereditary—that is, descending from father to son, &c.

Another cunning artifice of kings, is to get the priests and ministers of religion, as far as he can, to teach, advise, and command the people to obey the king, and hold his person, government, and laws, sacred and inviolable. To attach the people to his interests, he usually establishes a state religion, and requires the people to conform to it. This is supported by the government, and provision is made, by the state, for the priests, so as to ensure their fidelity to the king.

This connection of the government with religion, for the sake of establishing despotic power over the people, is called the *union of church and state*. It is carefully provided against in our political systems.

When a king is active and ambitious, he usually carries on wars with other countries, thereby seeking to extend his power, to increase his wealth, and glorify his name. If he is successful, he comes at length to unite several countries under one monarch, which, thus united, are called an empire. The king, under such circumstances, reigning over an empire, is usually called an emperor. Thus the monarchs of Russia and of China are called emperors, for their dominions include various countries.

These are some of the simplest forms of government, and in former times, unlimited power was placed in the hands of the patriarch, military chief, king, or emperor. They were therefore, and some still are, mere *despotisms*.

A *democracy* is a government of the people. In a strict sense, it is a government in which the people all assemble to make laws, to judge crim-

inals, to settle disputes, and to perform all the offices and functions of government.

There never has been, in point of fact, a pure democracy; for, even in ancient Attica, where there was the nearest approach to it, among a population of 400,000 souls, there were but about 20,000 citizens who had a right to take part in government; and but few of these actually concerned themselves with it. In our country, though in form the government is not a democracy, the people at large have more influence; for here, one sixth of the whole population are voters.

A *republic* is a government in which the people have established a constitution, and in which they choose some of their fellow-citizens to make and administer laws. Each of the United States is therefore a republic. The government of the United States is formed upon an union or confederation of the several states, and is therefore called a *federal republic*. Texas, Mexico, Gautimala, and several South American countries, have adopted republican governments.

The distinction between a democracy and a republic is, that in the former, the people act themselves, directly, in the business of government; in a republic, the people choose men to represent them and act for them. In a democracy, there is no binding and controlling constitution, for the people are supreme; in a republic, the people prescribe a constitution, and elect men to act under it. A republic is therefore sometimes called a constitutional, and also a representative government.

An *aristocracy* is a government in which the nobles, and those claiming certain privileges from

their wealth or rank, exercise authority, create and carry on the government. An *oligarchy* is a government in which a few persons, distinguished for their rank, have the supreme control. A *mon-*



Aristocracy.

archy is the government of an hereditary king or emperor. Most of the governments of Europe are mixed, and partake of several of these forms. I shall have occasion hereafter, in the history of governments, to notice some of these.

There are several terms used in characterizing government, which it is important to understand. A *despotic* government is one in which power has no check; a *tyrannical* government is one in which government is exercised arbitrarily, and against law and justice; a *free* government is one in which the liberty of the citizen is protected, and the rights of man secured.

An *aristocratic* government is one in which a few distinguished persons have a leading or controlling influence; in this sense, the government

of Great Britain is an aristocratic government, though the form is monarchical. A *democratic* government is one in which the people have a controlling influence. In this sense, ours is a *democratic* government, though the form is republican.

The greatest distinctions in government arise from the different parties in whose hands power is placed. In a democracy, it is directly in the hands of the people; in a republic, it is indirectly in their hands, though they depute it to others. Those governments in which the influence of the people preponderates, are called *popular*; those in which the people have little or no influence are *despotic*.

CHAPTER XXI.

Origin and History of Government.

THE necessity of Government must have been discovered in the first human family. If a child is not restrained, he will run into the fire, leap out of the window, break the furniture, injure his companions, or set the house on fire; he must therefore be governed. The larger children must be prevented from striking and wounding the younger ones; from taking away their food, &c. These too must be governed.

Without government, a family would be in a state of confusion and anarchy; its necessity therefore must have been discovered by Adam and Eve. The first government must consequently have been family government, and this doubtless suggested

the patriarchal form, which must have soon followed. When Adam became a great grandfather, with numerous descendants around him, he was likely to have an authority founded in reverence and affection, and this would lead him to be regarded, and applied to by the people, as a judge, a counsellor, and, in short, a ruler. Probably Adam was the first patriarch, and the first political chief.

In the first ages of the world, the people were chiefly husbandmen, as they had flocks, with which they wandered from place to place. As each party separated from the rest, they were likely to take some experienced man with them, who would be their patriarch.

When the tribes increased and extended their limits, and the ties of blood were forgotten, they were likely to meet and contend for the mastery. In these struggles, the strong, the daring, or the skilful warrior was likely to become the leader, and at length to receive or usurp authority. It is probable that Nimrod, the mighty hunter, was one of those who became the head of his tribe, and, at length, laid the foundations of Babylon.

He was, doubtless, a very ambitious man, and extended his domain over various countries on and around the plain of Shinar. He thus established an empire and became a despotic sovereign. In order to increase his authority, and to place his throne on a strong basis, he taught the people to consider him as ruling by divine right, and at last claimed their worship of himself as a divinity. He also, no doubt, made the monarchy hereditary in his family.

The example of Nimrod seems to have been

followed by all the sovereigns of Assyria, during its continuance of 1700 years. The power of the emperor or king was always absolute, and his claim to divine authority was ever maintained. No instance is recorded in which the right of the sovereign to reign was questioned, nor are we told of a single individual in these ancient days, who ever conceived the idea that the people had any right to govern themselves. Even when the government was just, and consulted the happiness of the people, it flowed only from the mercy of the sovereign.

The despotic system of this first empire appears to have been followed throughout the rest of Asia, and to some extent in Egypt; and we observe no traces of any other ideas of government than that of unlimited power in the hands of a king or chief or the priests, except among the Hebrews. Persia, a vast empire, that rose upon the ruins of the Assyrian empire, adopted the same despotic form of government, and the emperor ruled in the same arbitrary manner. He had unlimited power over the people. If the king was supposed to be bound to govern wisely and righteously, his people were equally bound to serve him as subjects and slaves.

CHAPTER XXII.

Political System of the Hebrews.



THE government of the Hebrews has been called a *theocracy*, which means a form of government which assigns all the power to God; he being, in fact, the proper king. In the first place, this government was under Moses, the legislator; then under Joshua, his successor; then under judges, and then under kings and high-priests. In all these cases, God was acknowledged to be the true king of the nation—but it was only under Moses that he was regarded as dwelling.

ally, among the people. Afterwards he was considered as ruling through the judges or kings, who were to look to him for advice or counsel, and who were to be appointed by him.

When David became king, God ordained that the monarchy should be hereditary in his family. His successors practically altered the government, and, instead of acknowledging God as king, they seemed to throw off his authority, and to rule according to their own will.

They would not submit to the restraints which had been observed by former rulers, and which operated like a constitution to limit the power of the kings, and to protect the people. They therefore not only fell into idolatry, but they were guilty of cruelty and oppression. The country was accordingly subject to great miseries, and at last the nation was scattered.

In whatever point of view we regard the Hebrew system of laws, as established by Moses, they are most remarkable. This people had lived for several centuries in Egypt, where there was an universal belief in many gods, and where idolatry was the universal practice of the people. The government, too, was despotic, placing absolute power in the hands of the kings and priests.

Yet, immediately on leaving Egypt, we find the people receiving from Moses a creed, both civil and religious, entirely distinct from that of the Egyptians, and unlike any other which had ever existed. It must be recollected that Moses lived about 1500 years before Christ, which was a thousand years before Confucius, the lawgiver of China, and 800 before Solon, the Grecian lawgiver.

The great idea of the Mosaic institutions was

the existence of one God—as distinguished from the creed of many gods, which prevailed at that time in all other nations—with the doctrine that the people were responsible to him for every action. In order to inculcate these principles and eradicate all the idolatrous notions which the Hebrews had imbibed in Egypt, Moses instituted a great variety of rites and ceremonies, all calculated to produce these effects, and, at the same time, to keep the descendants of Jacob as a distinct and peculiar people.

Such being his leading design, nothing could be better conceived than the means he adopted for his purpose. To superintend the religious rites and ceremonies, priests, being the descendants of Aaron, were appointed, and numerous assistants, called Levites, from Levi, their progenitor, were also appointed. These latter obeyed the priests in the services of the temple, and sang and played on instruments in the daily services. They also studied the law, and were the common judges, being however inferior to the priests, who were not only judges of religious questions, but of civil and criminal cases.

There is no part of government more important than that of the administration of justice, by which is meant the settlement of questions arising under the laws. Under the patriarchs, the judicial power was invested in the heads of tribes or families, who could banish, disinherit, or inflict sentence of death, according to their own will. In the time of Moses, a change was made in this respect; he was made supreme judge, and subsequently the priests had jurisdiction. There were also courts established, to which authority was

given over thousands, hundreds, fifties, and tens. These courts were again changed at several subsequent periods.

Before the courts, a man could plead his own cause, though men of wisdom and influence seem to have appeared in behalf of those incapable of speaking for themselves. In criminal cases the person charged was exhorted first to tell the truth, and then the witnesses were put under oath. Witnesses were examined separately, but in presence of the accused. When a man was found guilty of a crime, he was immediately hurried away to execution.

Though the institutions of the Hebrews were essentially different from those which prevail in this more enlightened day, still it must be admitted that they were far more favorable to individual liberty than the institutions of other countries of that age, and more so indeed than those of the principal monarchies of Asia now existing. The administration of justice, in the time of David, among the Hebrews, was more consonant to human rights, than it is now in China, the most civilized country of Asia.

CHAPTER XXIII.

Political Institutions of China.



Emperor of China.

THE early history of China is involved in the mists of obscurity. The historians of the country claim an incredible antiquity, and pretend to tell us of dynasties that reigned over the nation for ages before the period assigned to the creation of the world.

It is now, and has been for ages, the policy of the government to exclude strangers from the country, so that little is known of it. The steps by which the government has arrived at its present state cannot be traced, and we can therefore do little more than give an outline of it, as it now exists. It has probably undergone little alteration for centuries.

The government of China is professedly patriarchal; the emperor having the title of *holy son*

of heaven, sole guardian of the earth, great father of his people. But it is patriarchal on the largest scale of which there is any account, for his family consists of about 360 millions of members. Beside, the nature of the government is rather too severe for a parent to administer to his children.

The emperor is absolute in his authority, and such is the extent of his dominions that he is obliged to devote his whole time to business. Offerings are made to his image and his throne; his person is worshipped, his subjects prostrating themselves before him. He never appears in public without two thousand lictors, bearing chains, axes, and other instruments indicative of eastern despotism.

There are two kinds of nobility; those who have titles and privileges by birth, and those who hold offices; these are called mandarins. In every province there is a mandarin, or magistrate, who is aided by a council. There are courts of justice in the different towns, but these are too often capricious and corrupt. In order to ascertain whether a witness tells the truth, his spittle is examined. If he "*spits cotton,*" that is, if the mucus is frothy, it is esteemed a proof of agitation of mind incompatible with honesty, and he is discredited.

On the whole, the government of China is the best in Asia, but it is the most despotic in the world. All power being with the emperor, the people are not considered as having any political rights. The great instrument of government is punishment, and this is inflicted without mercy, and in a variety of barbarous modes. China may be regarded as one vast school-house, in which

the master has the birch continually in his hand. It has been humorously said that the emperor canes his ministers; the ministers cane the mandarins; and the mandarins cane the people; the men cane their wives; and the wives cane their children. The Chinese may therefore be considered a well-flogged nation.

The art of printing was known in China, even before its discovery in Europe, and now nearly all persons can read. The laws are published, and it is made the imperious duty of all magistrates thoroughly to understand them. The penal code, called "*T'a Tsing Leu Lee*," has been published in the English language.

From this code, which has been gradually forming under a succession of emperors for ages, it appears that the laws of China are a series of police regulations, many of them such as could not be established or enforced either in Europe or this country.

The punishments inflicted by this code, are chiefly whipping with a bamboo cane, wearing around the body a heavy frame of wood called the *cangue*, and which is a moving pillory; banishment, imprisonment, strangulation, and decapitation. The following extracts from this code, will give some idea of it:

"Rebellion is an attempt to violate the divine order of things on earth: for as the fruits of the earth are produced in regular succession, under the influence of the presiding spirit, so is their distribution among the people regulated by the sovereign, who is the sacred successor to the seat of his ancestors; resisting and conspiring against him is, therefore, an unspeakable outrage, and a disturbance of the peace of the universe,

“Whoever degrades his first or principal wife to the condition of an inferior wife shall be punished with one hundred blows. Whoever, during the life-time of his first wife, raises an inferior wife to the rank and condition of a first wife, shall be punished with ninety blows, and in both the cases each of the several wives shall be replaced in the rank to which she was originally entitled upon her marriage.

“Whenever any persons, having the same family name, intermarry, the parties and the contractor of the marriage shall each receive sixty blows, and, the marriage being null and void, the man and woman shall be separated, and the marriage presents forfeited to government.

“All persons unauthorizedly passing through any of the gates of the imperial citadel at Pekin, and entering therein, or into any of the imperial gardens, shall receive one hundred blows.

“No person shall presume to travel on the roads, or to cross the bridges, which are expressly provided and reserved for the use of the emperor, except only such civil and military officers and other attendants as immediately belong to his majesty’s retinue, and who are, in consequence, necessarily permitted to proceed upon the side paths thereof.

“Any person who is guilty of striking his elder brother or sister, shall be punished at the least with ninety blows, and banishment for two years and a half; but if guilty of striking so as to wound, with one hundred blows and three years’ banishment to the distance of 3000 *lee*.

“Any person who is guilty of striking his father, mother, paternal grandfather or grandmother;

and any wife who is guilty of striking her husband's father, mother, paternal grandfather, or grandmother, shall suffer death by being beheaded. Any person who is guilty of killing such a near relation, shall suffer death by a slow and painful execution."

CHAPTER XXIV.

Political Institutions of Egypt.



Ruins of Luxor.

Egypt rose at a very early period to a high pitch of civilization and refinement. In the time of Moses, 1500 years before the Christian era, it had a vast population, and many mighty cities. The ruins of these attest their magnificence and power. The vast pyramids that still exist, and

which were constructed so long ago that history has not told us what king caused them to be created, are among the mightiest works of human labor.

Among the ruins of Thebes, and other cities along the banks of the Nile, there are the most wonderful architectural remains. Cut in the rocks, there are chambers or rooms still existing, the walls of which are ornamented with curious paintings.

Some of these represent the manners and customs of the ancient inhabitants of these cities, and show that a great variety of utensils now in use, and supposed to be of modern origin, were well known to the Egyptians, thousands of years ago.

It is evident that Egypt, at a date going back nearly 2000 years before Christ, was a thickly peopled country, and that a vast variety of curious and useful arts were in use among the inhabitants. There is no doubt that it was, at this and later dates, the most civilized portion of the globe, and that it was the school at which other nations for many ages learnt philosophy. From this country it was that the Greeks, who became so celebrated for their arts and their advances in every species of human learning, derived their first light in all branches of human knowledge.

But however much Egypt may have done for the rest of the world in those remote and mystic ages, we have not a very minute record of her internal history. Of her political system, we know that it was an hereditary and despotic monarchy, modelled upon the Asiatic plan, but greatly modified, at least in early times, by the influence of priests.

There is no nation of antiquity in which religion seems to have had greater influence, than in Egypt. Though they had advanced far in many arts and sciences—though they knew the globular form of the earth, calculated eclipses, regarded the moon as another globe, were acquainted with arithmetic, geometry, and various curious arts, now lost—still they were in the highest degree superstitious.

Their superstitions were of the most gloomy kind. Music was only used at funerals and the worship of the gods. Pleasure was a stranger to the Egyptians; songs, dances, and sports, they disliked; they never used wine; their drink was beer, made of barley. Funerals and times of sadness were the only occasions of parade and expense.

Justice was administered in a strict and speedy manner. Written laws existed, and were handed down from age to age. Perjury and murder were punished with death. Calumniators and false accusers, were punished as if they had committed the crimes they charged on others. Falsehood was punished by a loss of the tongue; forgery, by loss of the hand; desertion of the army, by infamy.

The king could remit the penalty of the law, and indeed his authority was regarded as supreme—but in point of fact, he was himself, in many things, overruled by the priests. These even made rules to regulate his private affairs; they educated his children; pointed out the daily duties of his slaves; fixed the bill of fare at his table; and in various ways abridged and controlled his power.

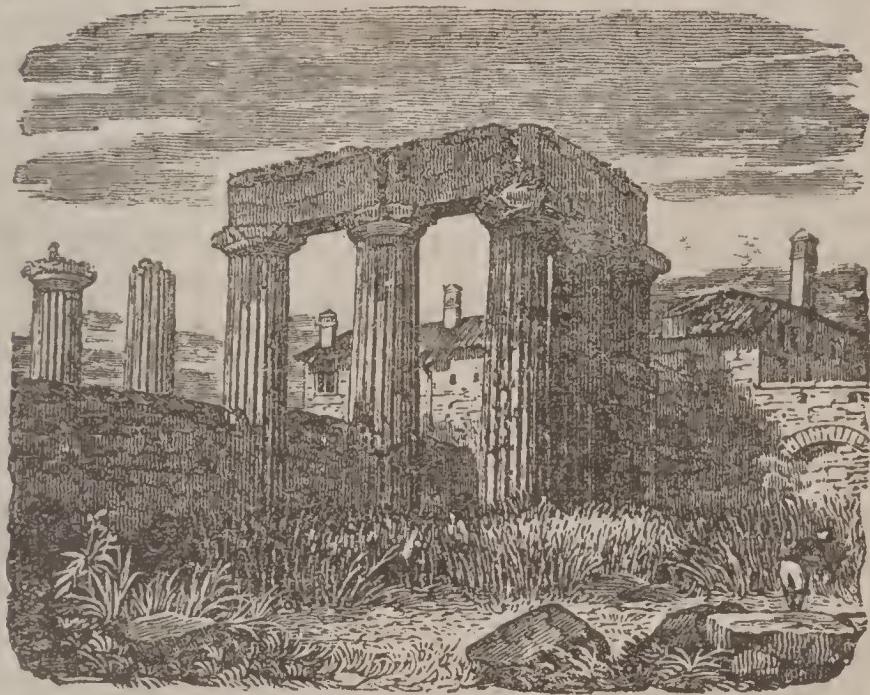
Kings were judged after their death, and if con-

demned, their bodies were cast away. Soldiers and priests were exempt from all taxes, and every son was obliged to follow the profession of his father. The people were divided into seven casts—priests, soldiers, shepherds, swineherds, mechanics, interpreters, and fishermen. The priests were at the head; they were the teachers of the people and the patrons of science. From them the chief offices of state were filled; they were the physicians, judges, architects, astronomers and astrologers. They kept science and knowledge to themselves, for by these they held their sway over the people.

Thus it appears that the government of ancient Egypt was despotic, checked only by the power of the priests, and laws established by usage. It appears, also, that this power varied at different periods, being more despotic at one time than another. It does not seem, however, that any other idea of government was ever started, than that of a divine right to rule on the part of the prince, or the priest, and the same obligation to obey on the side of the people.

CHAPTER XXV.

Sketch of Ancient Greece. Character of the People.



Ruins of an ancient Grecian edifice.

It is at a period of very distant antiquity, and in an age involved in doubt and fable, that the history of Greece begins. It was about five hundred years after the flood, when Abraham was living, that is, about 3700 years ago, that the first kingdom of Greece was founded; the country, previous to that time, being inhabited by wild and wandering tribes of savages.

The history of ancient Greece commences in the year 1856, B. C., and ends in 146, B. C., making a space of 1700 years, being nearly one third of the time that has elapsed since the world was

created, and almost one half of the time since the deluge.

The country of ancient Greece was a large peninsula in Europe, on the north side of the Mediterranean sea; lying between Italy and Asia Minor, and embraced many islands situated near its shores. Its length, when most extensive, was about 400 miles, and its breadth about an average of 150 miles.

Yet this small spot, less in extent than the State of New York, produced a people, who left more to instruct and admonish the nations that followed them than any other; and who, after the lapse of 2500 years, are still the subjects of the most lively interest.

The country inhabited by this extraordinary people was highly beautiful. Its surface was variegated by picturesque mountains; between them were valleys of the brightest verdure, through which a thousand small, but clear rivers dashed rapidly to the sea.

The climate was among the finest in Europe. It was exempt from the extremes of summer and winter; the sky was seldom obscured; and the air, being peculiarly clear, presented objects to the eye with the most striking distinctness. The sea was said to be more beautiful, the islands that clustered around the peninsula more charming, the romantic landscapes, embracing mountains, and vales, and rivers, more delightful here than in other lands.

It was the lot of a people of strong and peculiar genius to inhabit this favored region. Here they flourished for 1700 years. This ancient nation has slept in the tomb for centuries, but their

deeds and their institutions have survived the lapse of ages; and like mountains seen through the mist of distance, they strike through the shadows of antiquity, and still excite our wonder and admiration.

It is to this people that we are indebted for the first example of a federal government—a union of several states under one superintending power. Of course, we find in its history the first outline of the constitution of our own government, so much the object of admiration in other nations, and so worthy of our own respect and veneration.

Greece also exhibited the earliest dawns of political liberty. While the nations around her were living in barbarism, or submitting to tyranny, she was emerging from darkness into the light of freedom. About the time when Saul was made king over Israel, Athens abolished royalty. The ancient Grecians were the first people to understand their rights, and to assert them; the first to discover that the people are the only legitimate source of political power—that the true end of government is to ensure the happiness of the people at large—by establishing equal laws—promoting justice, and punishing crimes; the first to establish constitutions on a basis to secure these ends.

There was in the Grecian character a nobleness and ingenuousness of sentiment which makes it seem almost desirable to have lived among them. There is a curious anecdote of an old man, a stranger at Athens, who went one evening into the theatre. As he approached the seats of the Athenian youth, they pressed together in such a manner as to leave him no place to be seated; he was

therefore compelled to stand in a situation very conspicuous and embarrassing, and exposed to ridicule. The Lacedemonians, who held age in great veneration, perceiving his confusion, and touched with pity, by a general sympathy all rose at once to offer him a seat. The volatile Athenians, struck with such urbanity, suddenly gave a thunder of applause. The old man replied, “The Athenians know what is good—the Lacedemonians practise it.”

Their patriotism was of the loftiest kind. Where is the man in our day who would voluntarily sacrifice his life for his country? Yet many instances are furnished by the history of Greece, in which men laid down their lives to benefit their country; and they did this in a manner more unequivocal and more frequently than any other nation. The Athenians were once engaged in a dangerous war. An oracle, supposed to declare the will of heaven, when consulted in respect to the war, said that the nation whose king was first slain should be victorious. The king of Athens, perceiving that it would be difficult for him to be slain in the common course of events, dressed himself in disguise, went into the enemy’s army, and allowed himself to be killed.

With the Greeks, personal attachment had more influence, and private interest less, than with almost any other people. Xerxes the Great was much surprised when a Greek, who was admitted to his confidence, told him that the Greeks did not fight for money. “And pray,” said he, “what do they fight for?” “They fight,” said the other, “for glory.” The brave men who fought and fell with Leonidas at the straits of Thermopylae,

were inspired by the love of country, by devotion to their leader, to one another, to glory.

Many of them seemed to live for the interest and happiness of their friends. Solon's rule for measuring happiness, proposed to Crœsus, king of Lydia, was to "live in love, and die in peace." And he told the haughty monarch that Cleobis and Biton, two obscure young men, who spent their time in performing their duty to their country and the gods, in acts of kindness to their friends, and of filial piety to their mother, were happy men.

CHAPTER XXVI.

Greece continued.

IN the history of Syracuse, settled by a Grecian colony, there is an account of two young Grecian noblemen, Damon and Pythias, who lived in the reign of Dionysius the tyrant. They had, for a long time, cultivated the strictest intimacy and friendship, and pursued an unimpeachable course of life. But the spirit of liberty, prevalent among the Greeks, had, on various occasions, appeared; and many had fallen victims to the suspicions of the tyrant.

At length, one of the two friends, Damon, was seized by Dionysius, and condemned to die. But as he had business abroad of consequence to his family, which he wished to settle before his death, he applied to the king for permission to go; and his friend Pythias offered himself as a hostage to

remain in prison till his return, or die in his stead if he did not return. The king accepted the substitute, and Damon went on his journey.

When the time appointed for the execution of the sentence drew near, the criminal had not returned, and everybody now began to believe that he had made his escape, and left Pythias involved in ruin. Pythias maintained, however, with unshaken confidence, that his friend would return, unless prevented by death or unavoidable necessity, in which case he should submit to his fate without repining.

The day and the hour arrived ; no criminal appeared. An immense crowd of people assembled to see the result of so strange an event. Dionysius himself expressed great uneasiness, but as he expected it had been a plan contrived to screen the offender, he was determined to inflict the sentence on the hostage. Pythias was led to the scaffold. He ascended with an undaunted air and firm step, but, lest the honor of his friend should be tarnished, he requested as much delay as the forms of proceeding in such cases would admit.

What was the astonishment of the whole concourse, when, at this critical moment, the cry of "*Damon! Damon!*" was heard from an extreme part of the assembly. He approached with haste and terror lest he had come too late, and impeded by the greatness of the crowd, he drew his sword, and forced his way through the throng, till he rushed into the arms of his friend.

But here a scene ensued which is not easily described. Nor is it possible to say whether the sincerity of their friendship, or their superi-

ority to death, excited the most admiration. If the king was amazed at the return of Damon, he was more amazed to see Pythias still resolutely determined to die in his stead. In short, the contest now was which should die. Each one saw stronger reasons for wishing his friend to live, than to live himself; each one claimed the right of being the sacrifice.

While the two friends were engaged in this unparalleled dispute, the tone of public sympathy rose to frenzy, and the haughty monarch feared that compassion for his victim might suddenly change into fury, and hurl him from his throne. He felt that a tyrant's power is not equal to the power of virtue, and that a man imbued with noble sentiments is greater than a monarch without them. He rose from his seat, and embracing the two friends, with tears in his eyes, pronounced a free pardon, bade them both live for each other's sake, and desired they would admit him as a third, in a bond of union, so sacred, and so noble.

It is in respect to a people thus characterized by greatness, that we have occasion to observe and regret, that if in genius, taste, learning, patriotism, love of liberty, and heroism, they stand unrivalled among the nations of antiquity, yet they had many traits in their character to be condemned. They were volatile and fickle, ungrateful to their benefactors, fierce in their resentments, and bloody in their revenge.

The injustice that they manifested towards some of their most illustrious patriots and philosophers was remarkable. It must be admitted, too, that their standard of morality, formed without the light of Christianity, was very low. The

boundaries of right and wrong were in many things, undefined, and the strongest had generally the advantage.

On the whole, we are forced to confess that one great lesson taught us by the history of this interesting people is, that the human mind, under favorable circumstances, by its own unassisted efforts may develop powers, achieve deeds, and display traits of great beauty and sublimity—but that it still wanders in sad uncertainty as to the great end of existence, and that if capable of discovering the rules of justice and virtue, it is still unable to devise sufficient motives to enforce and establish them.

CHAPTER XXVII.

Athens. Political Divisions of the People.

THE city of Athens was the capital of Attica, a small territory situated to the north of the Gulf of Saron. It was founded by Cecrops, an Egyptian, who led thither a colony and introduced a knowledge of the arts and sciences, 1556, B. C. It occupied the summit of a rocky mount, in the midst of a large plain, about five miles from the sea; and as the city increased, it filled a large space of the neighboring plain. The Acropolis, or upper city, was fortified as a citadel. This part of Athens was greatly embellished, in the glorious days of the republic, with temples, statues, and monuments. Here are still magnificent remains of that

master-piece of architecture, the Parthenon, and also of the beautiful temple of Neptune.

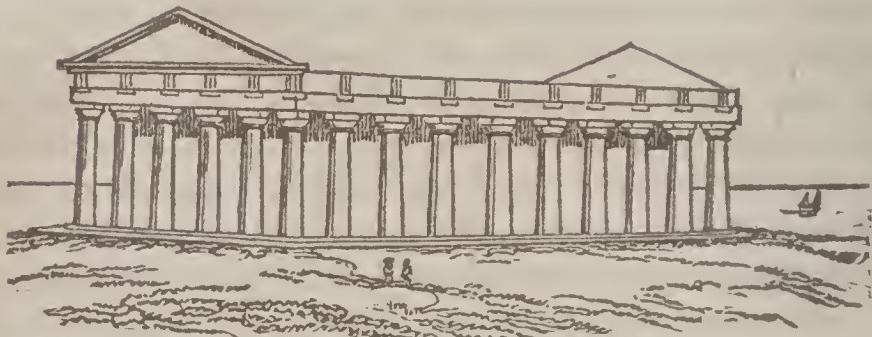
The seaports of Athens were the Portus Phalerius, the Piræus, and the Munychia, which last was encompassed with a strong wall, that joined it to the Piræus. Two walls, of about five miles in length, enclosing a considerable space between them, united the Piræus and Athens. The whole



View in Athens.

extent of the walls—comprehending every part of Athens and its suburbs—was about twenty-two miles.

One of the most superb buildings in Athens was the temple of Theseus, in the middle of the city. It became a sanctuary for slaves. It still exists as a matchless model, commanding the admiration of all who feel delight in the grandeur and beauty of architecture.



Temple of Theseus.

The inhabitants of Athens were divided into three classes; the freemen, strangers residing in the country, and the slaves. When Athens was in its highest prosperity, the number of free citizens was about 20,000; of foreigners and strangers, 10,000; and of slaves, 400,000.

The freemen were persons whose fathers were citizens in their own right. If, however, an Athenian married a foreign woman, his child could not be enrolled among the citizens, unless by conferring some signal benefit on the state. This admission could only take place in an assembly of the people, and was required to be ratified in a second assembly. From time to time, an inquest was held to clear Athens of pretended citizens. Fathers were careful to register the names of their sons in the ward to which they belonged; young persons, at the age of eighteen, were enrolled a second time.

The citizens were divided into tribes, at first four in number, but afterwards increased to ten. The freemen alone had a voice in the election of magistrates, and in popular assemblies.

Strangers residing at Athens were protected by the law, and allowed to follow trades, or spend their fortunes; but were incapable of voting, or of being elected to any office. They were subject to an extra tribute, in addition to the taxes paid by the free citizens. On certain public processions, they carried a badge of distinction, by which they were known from the Athenians. Such strangers as had rendered eminent service to the republic, were exempted from this requisition.

After a plague, or destructive war, it was usual to replenish the city by admitting strangers to the rank of freemen. To cement the freemen and strangers in closer union, each stranger was required to select some principal citizen to be his patron, to protect him from oppression.

It is painful to reflect that, in a country where the inhabitants prided themselves upon their liberty, and were ready to make such sacrifices to defend it, there should have been slaves, greatly surpassing the free citizens in number. In Athens they were about twenty times as numerous as the citizens. Slaves were of two sorts; natural born Greeks, who themselves, or whose parents, by poverty, captivity, or other misfortune, had been reduced to that condition; or foreigners, imported from abroad. The former were favored, both by law and custom, much more than the latter.

At Athens, slaves were in general more mildly treated, than in other parts of Greece. In times of danger, some obtained their freedom by fighting in defence of the state. They might also, if provident, amass a little property to redeem themselves. In general, masters were careful not to allow slaves

the use of arms ; neither might they imitate the dress and manners of freemen.

The Athenian slaves were employed in cultivating the lands ; they also wrought in the mines and quarries, and performed all the domestic services in private families. Slaves from other countries were exposed in the public markets for sale. At Athens, when a slave was first carried home, an entertainment was provided as a welcome to his new service. It was the interest of the master to treat his slaves with mildness, and attach them to his service, but he had full power over those which were bought, and might even put them to death.

CHAPTER XXVIII.

Of the Government of Athens.

THE government of Athens was at first monarchical ; but after the death of Codrus, annual magistrates, called archons, were elected and placed at the head of the government. Occasionally, however, individuals obtained an extraordinary ascendancy in the state. This was the case with the tyrant Pisistratus and his sons ; and after them, Pericles ruled Athens, by the consent of the people, nearly forty years. The usual government was carried on by the nine archons, by a senate of 500, and by assemblies of the people.

The persons appointed to the office of archon,

were elected from the principal citizens by lot. After their nomination, they were subjected to two rigorous examinations; the first was before the senate, and the other in the forum, before the magistrates, called *heliastæ*. They were required to show that they were descended of ancestors, who for three generations had been Athenian citizens; to specify the tribe and district to which they belonged; to adduce proofs of their filial piety, and of having served their country faithfully, and borne arms in its defence.

If competent, the archons took an oath faithfully to administer justice, and to receive no presents, or, in case of so doing, that they would dedicate to Apollo, at Delphos, a statue of gold, equal in weight to themselves. When their functions expired, an inquisition of their conduct took place, and if they had conducted themselves with propriety, a prospect was held out of their being admitted into the Areopagus.

In the discharge of their duties, the archons wore branches of myrtle, and in case any one offered them insult or obstruction, the offender was amerced in a heavy fine, and deprived of most of the privileges of citizens. The archons were remunerated, by exemption from certain taxes.

The chief of the nine archons was denominated The Archon, in distinction, because the year was called by his name. He decided on causes between married persons; also concerning wills, divorces, and legacies; he was the general guardian of orphans. The theatres and public diversions were under his control, and his office required him to regulate festivals in honor of the gods; to watch over the public morals, and restrain fla-

grant offences. He was empowered to inspect the public markets, and punish the venders of unwholesome provisions.

The second archon was called king, and wore a crown. He decided upon disputes in certain families of priests, regulated many sacrifices to the gods, and generally punished offences against religion. Accusations of murder were made before him; and if he saw cause, he sent the accused to be tried by the areopagites, among whom he had a seat and right of suffrage, but simply as a member of the court, and when he attended, he laid aside his crown.

Another archon exercised over strangers the same authority which the preceding archon had over citizens. He superintended certain festivals and sacrifices to Mars and Diana. He also adjudged the honors to be paid to citizens who fell in the wars, and to provide for their orphans from the public treasury.

The other six archons presided in courts for the trial of civil affairs respecting property, as belonging either to citizens or strangers. They were also to assist in watching over the rights of the people and preserve tranquillity, especially during the night.

The archons had officers, well acquainted with the laws and accounts, to assist them. There were subordinate magistrates, scattered through the different tribes, to manage their peculiar interests, and regulate minor details in the police.

The supreme power of enacting laws and deciding in matters of government was, by Solon, vested in the assemblies of the citizens; but to prevent

the ill consequences that might arise from hasty and ignorant advisers, he constituted a council of four hundred, in which all proposals should be agitated, before they were submitted to the people.

About eighty-six years after Solon, when the numbers of tribes had increased from four to ten, one hundred members were added to the council or senate, which made their number five hundred, or fifty for each tribe. The senators were chosen by lot from the different tribes. The names of all the citizens in the tribe qualified for office were engraved on tablets of brass, and cast into a vessel; into another was put an equal number of beans, all of which were black, except fifty, which were white. The name of a citizen and a bean were drawn out together, and if the bean was white, he was proclaimed senator. In this manner they proceeded till the whole fifty were chosen. They were elected for one year.

The power of this senate was considerable. They debated all measures of public interest and welfare, and examined the accounts of all the magistrates at the expiration of their office. They had care of all such as received public alms; they appointed goalers for the prisons, and could punish for offences not prohibited by any law. They also had the charge of building ships of war. Each senator was allowed a drachm a day, as a compensation for the loss of time.

All freemen of Athens had the right of attending the public assemblies; but strangers, slaves, women and children were excluded. They were held four times every thirty-five days, and also in cases of extraordinary emergency. When the

citizens were remiss in attendance, the magistrates shut up all the gates, except such as led to the place of assembly, and removed all goods from the market-place. As a farther inducement, an allowance in money of three oboli was given to all who were present at an early hour.

After certain religious ceremonies, the decree of the senate was read, and then a herald proclaimed: "Who above fifty years will speak?" After the old men had given their opinion, proclamation was made that every citizen was at liberty to speak. The people gave their suffrages by holding up their hands; but on certain occasions by ballot.



Orator addressing the people of Athens.

The popular assemblies decided respecting peace or war; they received ambassadors, confirmed or abrogated laws; nominated to almost every office; granted the freedom of the state to foreigners; and decreed honours to such as had deserved well of the republic.

The chief inconvenience attending the popular assemblies was the power which the orators exercised over the popular will by their eloquence; for factious and personal motives, they often recommended measures inimical to the honor and interests of their country. The orators were also accessible to bribes from foreign princes; and the eloquence and patriotism of Demosthenes were too successfully opposed by the gold of Philip of Macedon, received by other speakers.

In Athens the constitution was entirely democratical, but there was always a powerful body of rich individuals, who thought it advisable to curb the power of the people; and they often succeeded in their object. Hence, there was a constant jealousy of their power in the minds of the people, and, unfortunately, it was chiefly levelled at their ablest men, who had signalized themselves the most by their service to the state.

From this fear of the loss of power, the people were led to commit acts of flagrant ingratitude and injustice towards their greatest benefactors. Miltiades, who had sacrificed his own interest to the general welfare and common cause of Greece; who had in fact saved Athens, by his heroism and military talents, was unjustly condemned to pay an excessive fine, and, being unable to pay it, he languished the remainder of his days in prison. His son Cimon, after his father's death, was put in prison till this debt should be discharged. To free themselves also from any apprehension of characters deservedly popular, they had recourse to an arbitrary mode of punishment, called ostracism—a state of exile that lasted for ten years.

The process of condemnation was curious. Of
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the assembled citizens, each took an oyster-shell, or tile, and having written upon it the name of the person intended to be expelled, carried it to the market-place, where a piece of ground was enclosed with wooden rails for that purpose, having ten gates for the ten tribes to enter separately. The tiles or shells were there deposited; and if, when numbered by the archon, they amounted to ten thousand, the person so prescribed was adjudged to the ostracism. A similar usage prevailed at Argos, Miletus and Megara.

Aristides was banished in this way, from envy of his character, so gloriously acquired in the surname of "the Just." A similar jealousy forced Themistocles into banishment, after he had saved Athens and all Greece, by his admirable conduct in the Persian war. Cimon, Timotheus and other great commanders, who had distinguished themselves, preferred living as much as possible in other countries. Alcibiades was alternately caressed and persecuted by the people; till, by their indiscreet conduct towards him, other generals in the Peloponesian war, brought calamity and ruin on their state.

To distinguished individuals, of whom they entertained no fear, the Athenians gave, as a reward, crowns in their public assemblies. These were conferred by general suffrage, and were afterwards preserved in the families of those who had obtained them, as marks of honor. Foreign cities, by their ambassadors, might also present crowns to their meritorious citizens, after having received permission of the people.

CHAPTER XXIX.

The Court of Areopagus.

THE court of Areopagus was in the greatest repute throughout Greece, for the wisdom and justice of its decisions. It was sometimes convened in the royal portico, but more frequently in a kind of hall, defended from the weather by a sort of rustic roof. This court received its name from being held sometimes on an eminence, near the citadel, called the hill of Mars.

The origin of this court has been referred to Cecrops, but its jurisdiction was then confined to criminal cases of life and death. This continued to form their chief business in all subsequent periods; but they also, at one time, assumed the inspection and custody of the laws, the guardianship of young men, whom they provided with tutors, to be brought up suitably to their rank. They also punished transgressors of decorum and morals, idleness, rapine, and theft, as well as impiety towards the gods.

The members of this court held their office for life. Such archons as had acquitted themselves with honor at the expiration of their magistracy, were admitted into the Areopagus. Other citizens of irreproachable morals received this honor. The strictest propriety of conduct and behavior, was required of the members. To have been seen sitting in a tavern, was regarded as a sufficient reason for exclusion. Any one found guilty of gross immorality was excluded. The members were

forbidden to write comedies. To laugh during the sitting of the court, would have been thought a blameable levity.

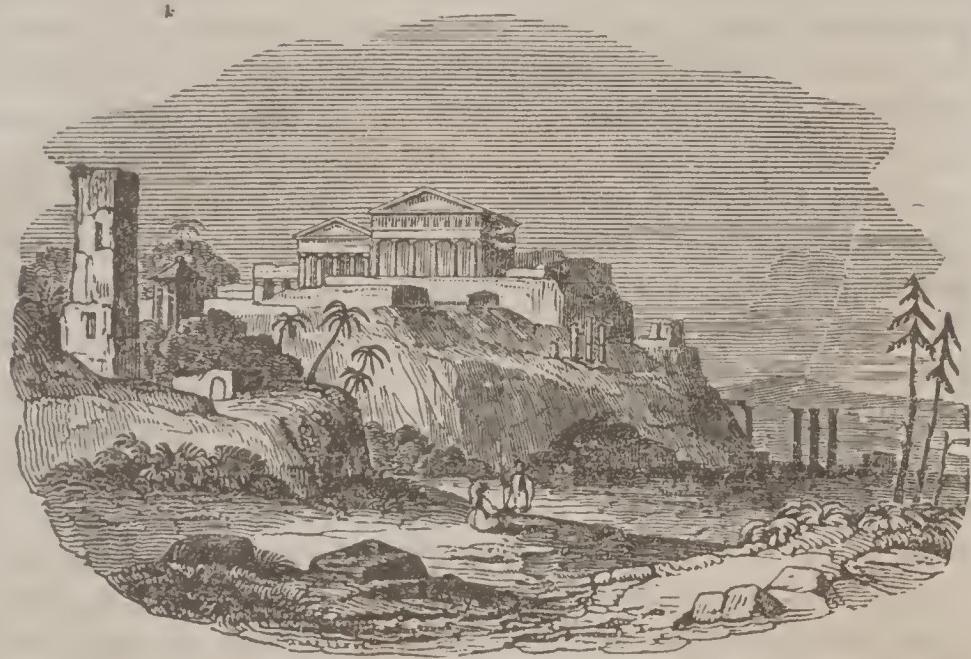
It is related that a member of the Areopagus stifled a bird, that, for fear, had taken refuge in his breast. For this act he was expelled, it being considered that the man whose breast was inaccessible to pity, was disqualified to sit in judgment on the lives of his fellow-creatures. Foreign states frequently referred their disputes to the arbitration of the Areopagus.

This court usually met on the 27th, 28th and 29th day of every month, or more frequently, if urgent business required it. They sat and determined all causes by night and in darkness, that they might not be influenced in favor either of the criminal or the accuser, and that no one might know the number or discern the countenances of the judges. They sat on seats of stone, and held in their hands a sort of baton as a badge of office.

When a multiplicity of business required it, they divided themselves into committees, to decide on separate causes. These appointments were made by lot, that it might not be known who was to try any cause, and that thereby no one might be corrupted or bribed to prejudge any cause. The members received three oboli, that is, about sixty cents, for every cause they tried, and they sometimes received gifts from the people.

CHAPTER XXX.

Other Courts of Athens. Sparta.



Acropolis in Athens.

BESIDES the Areopagus, there were ten other courts of justice among the Athenians; four of which took cognizance of homicides, assaults, and other matters of blood; the other six were for civil causes.

The judges were chosen from all the citizens indiscriminately; the very lowest being eligible. The only pre-requisites were, that they should be thirty years of age, and innocent of any criminality. The number of these judges was about six thousand; but, strictly speaking, they were merely jurymen to assist the presiding magistrate. One inducement to become a judge was, that they received for every trial an obolus, about twenty cents, each, and sometimes three oboli.

This recompense occasioned an annual expen-

diture to the state of about one hundred and fifty thousand dollars a year. That the profits might be more equally divided, no person was allowed to sit in two courts the same day. Such as were qualified to sit on trials, and had leisure any day for that purpose, attended and gave in their names; a sufficient number was then elected by lot for the different courts for that day.

They received tablets to indicate this, and on presenting them to the officers of the court, were admitted, and received each a sceptre, as an ensign of authority. On leaving the court, and giving back their sceptres, they received their recompense for attendance.

The Athenians were so litigious, that persons went about to seek occasions for commencing a suit, or bringing an accusation against persons of respectability. Many of them indulged in a predominant inclination to chicanery, and all the artifices of pettifogging.

The most distinguishing trait in the character of the Athenians, was their attachment to the arts, to literature and philosophy. Hence arose innumerable distinguished architects, sculptors, poets, historians, and philosophers, who rendered Athens the most splendid and illustrious city on the earth. Their literary character secured to the inhabitants the respect of their conquerors, long after their political power was extinct. From none did they experience this more than from Alexander the Great.

In the different fate which befel Athens and Lacedæmon, or Sparta, we have an example of the superiority which letters give to one nation over another, when that nation has, besides, dis-

played military virtues. Lacedæmon was different from Athens in all respects. It was an inland, not a maritime city; its power depended chiefly on its land forces, and not on its fleets; its wealth arose from agriculture, and not from commerce.

Whilst the Athenians indulged in every kind of elegant luxury, the Lacedæmonians gloried in their plain, simple, hardy manner of living, no less exempt from pomp and splendor, than from effeminacy and sensuality. The Athenians were desirous of enjoying the mental and physical pleasures of life; whilst the Lacedæmonians were anxious to form laborious and virtuous citizens, and by the terror of their arms to rule in every state in Greece.

Lycurgus was the great legislator of Sparta, and on his institutions the power of their state was founded. They became the laws of Lacedæmon several hundred years prior to the Christian era, and they were observed, in some particulars, long after the state had submitted to the supremacy of Rome. Apolonius of Tyanæa found them still in force at Lacedæmon, during the reign of Domitian about the year 100 A. D.

Lacedæmon, or Sparta, was the chief city of the adjoining territory, called Laconia. There were many other towns in the district, confederated with the capital, but much inferior in importance and character. Their deputies however, insisted on deliberations respecting peace or war, or other matters connected with the general welfare of the whole state.

The city of Sparta was built at the foot of Mount Taygetus, on the west side of the river Eurotas; it was of a circular form, and about six

miles in circumference. The ruins still remain, at a little distance from the modern town of Misitra. Sparta anciently had no walls, as it depended for its defence on the characteristic energy of its inhabitants. The houses were little graced with architectural ornaments, but were lofty, and built with great solidity.

The citizens of Sparta consisted of two classes,—such as were born citizens, and such as had been presented with the freedom. On the birth of a child, he was carried to a public place, where the aged persons of his tribe were to judge whether he appeared healthy and well-formed, so as to be likely to prove one of the future defenders of his country. If of a weakly constitution, he was cast into a gulf, for it was not deemed expedient that a deformed or sickly child should live.

When the parents were both Spartans, and the children brought up according to the prescribed institutions, in their thirtieth year they became legitimate citizens, and eligible to bear office in the magistracy, or in the army. Unless the parents were both Spartans the children were not legitimate. Freedom was sometimes bestowed in reward of extraordinary services, but that was of rare occurrence.

In addition to those enjoying the full privileges of citizens, there was a class of freedmen who had not complied with all the regulations required in their education; these were disqualified for holding offices in the state, but were competent to give their votes.

In Sparta there were more slaves than in any other city of Greece. They were employed in domestic drudgery and laborious occupations.

In a medium condition, between the slaves and the freedmen, were the Helots. The city of Helos had been taken by the Spartans, and all the inhabitants were reduced to subjection, and others afterwards were associated with them.

These acted as farmers on the lands, for which they paid a fixed rent, which it would have been disgraceful in any proprietor to increase. They were also employed in various mechanical arts. In time of war they assisted on board the fleets, and in the land armies; every heavy armed soldier was accompanied by one or more of them.

As the Helots exceeded the freedmen in number, they became a source of terror, and various means were resorted to, to keep them in subjection. As a trait of the Spartan character, history has noticed the Helots, as being compelled at times to drink to excess, and in that condition led into the public halls, that the youth might be impressed with a sense of the disgrace of drunkenness. In any other city, it would have been easy, without compulsion, to find persons who would indulge in drinking to intoxication.

It is certain that the Helots were thought difficult to govern, from their numbers, courage and wealth. In times of imminent danger, they were encouraged to exert themselves by the hope of being admitted to the rights of citizens, which they sometimes obtained. This liberality was not always shown, and they were, in consequence, often induced to join with an invading enemy.

CHAPTER XXXI.

Sparta—Continued.

In the political constitution of Sparta, there were two kings; a senate of twenty-eight old men; five magistrates called ephori, resembling the tribunes of the people at Rome, but with more extensive powers; assemblies of the free citizens for discussing their own peculiar interests; and assemblies of all the citizens of the other free towns in Laconia.

There were two kings at Sparta, of two different families, in each of which the crown descended to the eldest son, or to the nearest male heir. The heir to the crown was not brought up with the other children of the state, that he might not be in danger of losing the respect necessary for his station.

The power of the kings was very limited. Their chief power in peace was to regulate matters connected with religion, and to appoint various inferior officers of the magistracy and priesthood. They presided in the senate, and proposed matters for deliberation; and each had two suffrages. They were considered as merely the first citizens of a free state, and went about without a retinue and without ostentation. In time of war the kings commanded the armies, with full powers of a general, and had liberty to conclude a truce with the enemy.

The senate consisted of twenty-eight members, above sixty years of age, elected to the office for life by the voice of the citizens. Their office was

to deliberate on all questions respecting peace and war, foreign alliances, &c. They were judges in matters of importance, and both the lives and fortunes of the people depended on their decisions.

The ephori were five in number, elected annually by the citizens. They held courts in the forum, where they decided in matters of dispute between individuals, and also, along with the senate, they had the power of life and death. They had, likewise, authority over other magistrates, so as to depose or imprison, and bring them to trial for their lives. They could assume this right over the kings, but they were very delicate in exercising it. Two of them generally accompanied the king in his military expeditions, as a watch over his conduct.

To these magistrates was entrusted the care of education,—to see that the children were brought up according to the institutions of Lycurgus. They had the executive power, received foreign ambassadors, convened general assemblies, and presided in them; they levied troops, and sent them to their destination; and sent to the general of the army, orders which he was bound to obey.

The assemblies of the people were to decide on matters laid before them by the senate. They were composed of all the citizens of thirty years of age. The citizens of Laconia were 30,000 in number. Lycurgus caused the whole country to be divided into that number of equal shares, of which the district of Sparta contained, according to some accounts, 9,000; but according to others only 6,000 or 4,500.

Celibacy was considered disgraceful, and bachelors were subjected to various penalties. The

citizens were required to marry women of their own rank and without portions, that they might form a union from motives of pure affection.

Lycurgus ordained that children of all ranks should be brought up in the same manner; that they should be inured to bridle their appetites, and be accustomed to spare meals and fasting. At twelve years of age, they were examined to see how far they were competent to endure darkness and solitude, and also as to their temperance in the choice of articles of food.

The Spartans were ordered to eat together in public, and non-attendance at these meals was subject to a fine. The intention of the law was to repress luxury; and that the young might derive instruction from the aged, who were wont to relate, during the repast, all such achievements as had been marked with celebrity during their lives. It was forbidden to eat at home, previous to going to these meals. The kings, magistrates, and citizens, seated themselves at tables containing fifteen covers, each. The guests at one table did not interfere with those of another, but formed a fraternity into which no person could be received but by the consent of all who composed it.

Their food and drink were of the plainest sort, and one dish in particular, the *black broth*, has been spoken of in all ages. The expense of these public meals was defrayed by individuals who were obliged to furnish every month a certain quantity of barley-meal, wine, cheese, figs and money.

The rich and poor were clothed alike. They were not to change either the fashion or the materials of their garments, which were calculated

to produce warmth, and but little adapted for ornament. Even the kings conformed to this custom. Boys were not permitted to wear shoes, that their feet might become indurated, and that they might early climb steep and rough declivities. The Spartans were not to use baths or ointments, except at stated times, but were expected to bathe in the river.

So long as the Spartans remained independent of other states, they were, at home, bound as strictly by the laws and customs, as soldiers are by the rules of war in a camp.

Obedience to superiors was strictly required, as a matter which constituted the essence of all government. To honor the aged was also especially enjoined. The youths rose up whenever the old men entered; they gave way to them in the streets, and were silent when they spoke. As all children were deemed the property of the state, the old assumed the authority of parents, and might reprove not only their own sons, but those of others, if concerned in any impropriety.

The Spartans made no great proficiency in science, literature, or the arts. Even their laws, for a long period, were not committed to writing. They were forbidden to exercise any mean or mechanical occupation.

The profession of a soldier was the most honorable. Curious and refined arts, or such as tended to luxury, were forbidden. Theatrical entertainments were not allowed.

It is stated by credible authors, that the Spartan youth were allowed to steal, but if detected they were liable to be punished for their want of dex-

terity. To be distinguished by such regulations as these, seems a matter of unskilful policy.

Boys were daily exercised in hunting, to render them robust and active. Young men and women were to practise dancing. They were also to be exercised in running, wrestling and throwing the quoit or javelin. It was the intention of the legislator that the women, as well as men, should be strong and alert. The youths were to be constantly employed. At a certain time, boys were to be whipped in the temple, and around the altar of Diana. This took place once every year; and such as endured this flagellation without groaning or shedding a tear, were held in high esteem.

Gold and silver were prohibited under severe penalties, and no money except that made of iron was allowed. Contracts were made by barter. The laws respecting money were ill observed, and, after the conquest of Athens, were abrogated entirely.

Till a man arrived at the age of thirty, he was not to be sent abroad to serve in the army, but was to remain at home to defend the country. They were not to undertake sieges of towns, or engage at sea; but this law grew in time to be disregarded. A soldier who lost his shield in battle, was deemed infamous.

In time of war, the severity of their regulations was relaxed, and the soldiers were permitted to indulge in such enjoyments as they could procure. They were not to commence a military expedition before the full moon. Bravery in war was one great object which their education was calculated to promote. Whoever left the ranks and fled was inevitably disgraced.

If the Spartans fell in battle on the frontiers, it was the law and custom that their bodies should be carried back and interred in their family sepulchres, unless it should appear that they had received their death in flight; in that case they were left unburied.

CHAPTER XXXII.

Other States of Greece.

THE other states of Greece, like Athens and Sparta, had a republican form of government. In some of them the chief power was in the rich, and the constitution was oligarchical or aristocratical. In others, the people had the supreme power, and the constitution was democratical. In almost all the states, the two parties were ever struggling for the ascendancy. A similar jealousy was entertained in Sparta and Athens; the former favoring the aristocracy, and the latter supporting the cause of the people.

In none of them were the same rigorous institutions as at Sparta, and nowhere were the arts and sciences, learning and philosophy, so much cultivated as at Athens.

The council of the Amphictyons resembled the diet of the Germanic empire in modern times, or the general diet of the deputies of the cantons of Switzerland. In this confederation, twelve nations of the Greeks associated together, each of which might give two votes or suffrages, and send what number of deputies they thought fit.

The object was to settle matters connected with the general interest; but chiefly to decide questions between any two states, so as to obviate the necessity of an appeal to arms.

This council was held in the spring at the city of Delphi, and in winter at Anthela, near the Straits of Thermopylæ. At their meetings, a numerous concourse of spectators attended, and they opened their proceedings by sacrifices and religious observances.

This league was ratified by the following oath : " We swear never to destroy any Amphictyonic town, nor divert, either in peace or war, the springs or streams necessary to supply its wants. If any power shall attempt it, we will march against that power, and destroy its cities. Should impious men seize upon the offerings in the temple of Apollo, at Delphi, we swear to employ our feet, our voices, our arms, and all our powers, against them and their accomplices."

The Amphictyonic council could levy fines on offending cities; and, if not promptly paid, the fines were doubled. If the party against which the fine was awarded, still continued refractory, the league called upon all the confederate states to arm and support its decrees. They also expelled from their council the deputies of the offending state.

The feebler states were obliged to submit, but the more powerful, when they had a considerable interest at stake, were not so complying. Thus, the Lacedæmonians, after they had been fined 500 talents for seizing on the citadel of Thebes in time of peace, refused to pay; and when the fine was doubled, they still held out, alleging that the

decree was unjust; and by force of arms persisted in disobedience.

For robbing the temple of Delphi, the most severe vengeance was denounced; and in case of resistance, death and deprivation of sepulture was inflicted.

The vast treasures accumulated in this temple, tempted the Phoceans to violate the precincts, and they took from it immense sums. They successfully resisted for some time the Bœotians and other states: but at last they were miserably destroyed by Philip, king of Macedon. That subtle politician availed himself of the popularity of the act to appear as an avenger of the gods. Philip was, after this, admitted into the council, which extended his influence over Greece till he had reduced it to a state bordering on subjection.

CHAPTER XXXIII.

The City of Rome.

THE city of Rome derived its name from Romulus, who, with a colony from Alba Longa, founded it 753 years before Christ. It was built on the banks of the river Tiber, and stood on the seven hills, Palatinus, Capitolinus, Aventinus, Quirinalis, Coelius, Viminalis, and Esquilinus, and in its most flourishing state, its walls surrounded a space of fifty miles. This territory was divided into three unequal parts, one of which was allotted for the service of religion, and for building temples; another for the king's revenue and the

uses of the state; and the third and most considerable part was divided into thirty portions, to answer to the thirty curiæ, or divisions of the people.

Rome, in its day of glory, abounded in magnificent temples, amphitheatres, and places for exercise and amusement; buildings for the assemblies of the people, public places, piazzas or porticoes, columns, triumphal arches, and trophies, aqueducts, public sewers, and highroads.

The forum was the most ancient public building in Rome; it was composed of a vast assemblage of sumptuous but irregular edifices, forming a spacious oblong square, entirely surrounded by a piazza terminated at each end by a triumphal arch. It was here that the assemblies of the people were held, and harangues delivered to the plebeians, or common people.

Here also justice was administered in vast halls appropriated to the different tribunals; it was, moreover, the residence of the chief bankers, and contained a variety of shops stored with a profusion of the most costly merchandise, and, consequently, was the mart for all important and commercial transactions. This being the emporium of law, politics, and trade, it became equally the resort of the man of business and the lawyer, and was the scene of the chief bustle of the city.

Of its present state we have the following authentic description: "Its temples are fallen; its sanctuaries have crumbled into dust; its colonnades encumber the pavements, now buried under their remains. The walls of the rostra, stripped of their ornaments and doomed to eternal silence; a few shattered porticoes, and here and there an insulated column standing in the midst of broken shafts; vast fragments of marble capitals, and

cornices heaped together in masses; remind the traveller that the fields which he now traverses were once the Roman forum. So far have the modern Romans forgotten the theatre of their glory, and the imperial power of their ancestors, as to degrade it into a common market for cattle."



Ruins of a Roman aqueduct.

The aqueducts were by far the noblest proof of the grandeur of Rome. Some of these wonderful channels brought water from upwards of sixty miles, through rocks and mountains and over valleys, supported on arches in some places more than one hundred feet high, one row being placed above another.

The city was cleansed by means of sewers of stupendous magnitude, and of such solid workmanship that, after a lapse of more than two thousand years, though earthquakes have shaken the very foundations of the city, the principal drain is still entire.

The Romans paid extraordinary attention to the construction of roads. They were carried in various directions throughout the whole extent of the vast empire, and were formed with such solidity as still to remain in many places in perfect repair.

CHAPTER XXXIV.

Rome—Divisions of the People.

IN the early ages of its history, when Rome was but thinly inhabited, whoever fixed their abode within its limits, obtained the right of citizens; but as the power and extent of the empire increased, and the dignity of a Roman citizen began to be more regarded, this privilege was more sparingly conferred.

The citizens were divided into three tribes, and each tribe into ten curiæ; but the number of tribes was afterwards augmented to thirty-five, and they were separately classed, in order to distinguish between the actual residents of the city and those subjects of the commonwealth who lived wholly without its limits.

The people were, at first, only separated into two ranks, the patrician and plebeian; but the order of equites, or knights, was afterwards added, and at a still later period, slaves were introduced. The population was, therefore, composed of four classes,—patricians, knights, plebeians, and slaves.

The patrician order consisted of those families whose ancestors had been members of the senate

in the earliest periods of the regal or consular government.

The equestrian order arose out of an institution ascribed to Romulus, who is said to have selected one hundred young men from each of the tribes, to serve on horseback as his personal guard.

The plebeian order was composed of the lowest class of freemen. They were divided into country plebeians and city plebeians. The latter consisted not only of the poorer mechanics and laborers, but of a multitude of idlers, whose turbulence was a constant source of disquietude to the government.

Among this degraded class arose seditions and conspiracies; and the final overthrow of the republic and the extinction of liberty, may be, to a considerable extent, attributed to the increasing strength, and number, and turpitude, of this description of the plebeians. This, however, can be applied only to the lowest class of them. Many of the most estimable citizens were to be found in that order, and not a few rose from it to high offices, and some to the first dignities of the state.

Men became slaves by being taken in war, by being born in a state of servitude, or by being reduced to that condition as a punishment; and they were not entitled to any privileges of freemen, nor considered as citizens.

They really possessed no political rights, and were by law rendered incapable of acquiring property, or of giving evidence in a court of justice; and were viewed in no other light than the chattels or property of their masters.

There was a constant market for slaves at Rome, and regular dealers in the trade of selling

them. They were, usually, exposed in a state of nudity, and wore a label on the neck descriptive of their qualities, and seem to have been transferred in much the same manner as cattle.

Masters possessed absolute power over them, and were authorized to put them to death at pleasure,—a right often most inhumanly exercised. The laws in regard to them were extremely harsh and rigorous, and one of them provided, that, if a master of a family were slain in his own house, and the murderers were not discovered, all his domestic slaves were liable to be put to death. Tacitus records an instance of four hundred having thus suffered in one family.

Slaves were frequently liberated by their masters, and at that time their heads were shaved and they received a cap as a badge of their liberty, of which it has become the emblem. They then assumed the name of their master, which they preferred to their own, and were ever after called his freedmen.

CHAPTER XXXV.

Rome—Form of Government.

TRADITION describes the original constitution of Rome, as having been purely monarchical; but it was essentially a military democracy, founded on the rude basis of a barbarous horde, submitting, for their common interest, to the dominion of one chieftain; and, by encroaching on the neighboring states, enlarging their territory and their power,

until they acquired the consistence of a nation, and assumed a regular form of government.

Romulus was first elected king and supreme magistrate by the inhabitants. The regal power subsisted for two hundred and forty-three years, under seven kings. The last of these was Tarquin, who, with his family, was expelled on account of his tyranny and cruelty.

The kings were elective, and limited in their power: they could neither enact laws, nor make war or peace, without the concurrence of the senate and people. Their badges were a white robe with stripes of purple, and fringed with the same color, a golden cross, an ivory sceptre, and a curule, or state chair.

The power of the people in Rome was elicited in their public assemblies. It was theirs to enact laws, elect magistrates, to decide concerning war and peace, and to try persons guilty of certain heinous offences. An assembly of the whole Roman people was called Comitia.

The senate was the grand council of the empire; they were also a body of magistrates entrusted with the power of putting the laws into execution.

The senators were originally chosen from the most distinguished citizens, and their number was then confined to one hundred: but it afterwards gradually extended to a thousand, and the knights and plebeians were indiscriminately admitted.

The senate was consulted on everything pertaining to the administration of the state, except the creation of the magistrates, the passing of laws, and the determination of war and peace. In many respects the mode of debating, voting, and passing decrees in the senate, appears to have

bore a strong similitude to the proceedings in the British House of Commons. Each individual gave his opinion in a speech of any length which he chose, and the indulgence in this privilege frequently caused a decision to be deferred from day to day. Sometimes long speeches were interrupted, as in modern times, by the bustle and clamor—by the “coughing down”—of other senators.

When all had offered their opinions, either by tacit assent or by speech, the presiding officer reported the arguments, and divided the house to tell the number on each side of the question, and ascertain the majority. A decree was then made out, called “*senatus consultum*,” and referred to the tribunes of the people for their concurrence or rejection.

A magistrate in the Roman republic, was one possessed of public authority, either civil, religious, or military; so that the same person might act as a priest and a judge, regulate the police of the city, direct in the affairs of the empire, and command an army.

Previous to the election they were called *candidati*, (clothed in white,) from the white robe which they wore while soliciting the votes of the people. Hence the origin of the word “*candidate*.”

The magistrates called *ordinary*, were the consuls, prætors, censors, tribunes, ædiles, and quæstors, who were created at stated times, and were constantly in the republic.

The *extraordinary* magistrates were the dictator and master of horse, the decemviri, military tribunes, and interrex, who were not constantly and statedly elected, but arose out of public disorder or emergency.

All magistrates were obliged, within five days

after entering on their office, to swear that they would observe the laws of the empire; and after the expiration of their office they might be brought to trial if they had done anything amiss. No one was allowed to enter upon an office unless the omens were favorable.

The laws of Rome were ordained by the people upon the application of a magistrate. The great foundation of Roman law or jurisprudence, was that collection of laws called the “laws of the twelve tables,” compiled by the decemviri and ratified by the people,—a work, in the opinion of Cicero, superior to all the libraries of philosophers.

Yet the unsettled state of the Roman government, the extension of the empire, the increase of riches, and, consequently, the number of crimes, with various other circumstances, gave occasion to a great variety of new laws: and those ordinances originally were distinguished by the name of the persons who proposed them, and the subjects to which they refer.

The Roman punishments authorized by law, were fine, imprisonment, and fetters; stripes, generally inflicted with rods, or the infliction of the same injury that had been done to the accuser; public shame or penance, selling into slavery, and death.

There were several ways of inflicting the last upon criminals: they were either beheaded, strangled in prison, or thrown from the Tarpeian rock. Slaves and the lowest order of criminals were usually crucified. Those guilty of parricide were first scourged, then sewed into a leathern sack, together with an ape, a cock, a serpent, and a dog, and thrown into the sea or a deep river.

CHAPTER XXXVI.

Review.

WE have now noticed the great states and empires of antiquity, and given some idea of their political institutions. We have seen that the first great empire of the world was that of Assyria, which began with Nimrod, about 2200 years before Christ, and which continued till about the year 538, when it was swallowed up by Persia.

Persia greatly extended its dominion, and under Cyrus and Cambyses, about 530 years B. C., it embraced Mesopotamia, Palestine, Syria, and Egypt. In the year 330, Persia was invaded by Alexander of Macedon; its capital was taken and its king put to flight. The Greek dominion was of short duration, for the Parthians soon conquered Persia, since which period it has ever continued to be an inferior power.

Throughout the whole history of the great ancient empires, the government was despotic, the kings claiming absolute authority, even to the taking of life and property, and the people blindly and slavishly submitting.

The political institutions of other countries in Asia have also been similar to those of Persia and Assyria, excepting among the wandering tribes, who have ever maintained a patriarchal form of government. China and Japan, two populous empires, have despotic governments, and both exclude foreigners from their dominions, allowing them to trade only at a single port in each country. These two last, though of great an-

tiquity, still continue to maintain their ancient systems with little change.

The institutions of the Hebrews, though in some respects similar to those of most eastern nations, were in others altogether peculiar, and have never been adopted by any other nation of ancient or modern times.

With the exception of the last, we see little in the governments of these countries that is worthy of our imitation. We learn from them, indeed, only lessons of warning. They all show us that countries submitting to despotic institutions, continue in a state of ignorance, weakness and degradation.

About 1500 years before Christ, the seeds of learning and arts are wafted from Egypt to Greece, and here, after five hundred years, they spring up and flourish. It is in Greece that the first clear ideas of human rights, and of human government to secure them, are disclosed and attempted to be realized. Here we see a people rising to a high degree of civilization and power through the influence of freedom, yet, for the want of a solid basis of religion and morality in society, finally crumbling to pieces; leaving, where a blaze of light once sent forth its illumination far and wide, but a ghastly heap of ruins.

Rome, borrowing something from Egypt and Greece, becomes a mighty empire, swallowing up all the great kingdoms around her, whether in Europe, Asia, or Africa. She grows rich on the spoils of other nations. For a time she feels the fire of liberty, but this vanishes amid the corruptions and looseness that pervade society; and, finally, gorged with conquest and bloated with wealth, she becomes the prey of the Goths and

Vandals, that come upon her, like locusts, from the north of Europe.

Though Greece and Rome have long since declined, yet many of their political institutions have come down to our times: of these we have given a brief sketch. There is much in them to admire, but they show that Christianity was still wanting to lay a sure foundation for liberty, in the responsibility of man to clear and inflexible rules of justice.

The great lights of Greece and Rome having become extinct, the Arabs, or Saracens, from the seventh to the twelfth century, cultivated literature with success in Asia and Africa; but Europe continued, for this whole period, in a state of ignorance and barbarism. This is called the dark age, during which the institutions of Greece and Rome were forgotten, and those of the northern nations of Europe became partially established over this entire quarter of the globe.

The Feudal System.



THE feudal system, so often noticed in history, appears to have existed in Europe at an early date, among the tribes that inhabited Germany. These, like the Celts who first settled France, Spain, Britain, and Ireland, doubtless came from Asia. The period of their first emigration may have been, and doubtless was, 1500 or 2000 years before Christ; but tribe after tribe continued to flow into Europe, down to the time of Rome's final overthrow by the Goths.

It is probable that the German tribes brought their feudal system of government with them; but it doubtless became much modified after its establishment in Europe. It existed among the Franks, one of those tribes; and these, making

some conquests in Gaul, under their king, Pharamond, about A. D. 420, and finally settling in that country, established it there.

From this period, the feudal system is seen extending over all parts of Europe, until, in the course of a few centuries, all the great kingdoms of Europe are founded upon it as the basis of their political institutions.

It must be remembered that these German tribes, as well as the other inhabitants of Europe, were, at the period of which we treat, chiefly addicted to war. They had flocks, and sometimes settled down, for half a century or more, in one spot, pursuing agriculture in intervals of peace. But they were, still, always looking out for some rich tribe or country which they might plunder.

In this state of things the people required bold and active leaders; those who were fond of strife, and capable of ensuring victory in their bloody enterprises. Accordingly, we find them generally under the sway of kings whose character was marked with strength and courage, mingled with skill and sagacity. The sovereigns were always assisted by chiefs, who partook of the characteristics of their leaders.

When one of these tribes conquered a country, they divided the spoils among themselves. The king took by far the largest portion; his chiefs took less, and the common soldiers a still smaller share. The lands were wholly taken by the king and his chiefs, who were called barons.

There was one condition on which these lands were held, which constituted the chief feature of the feudal system. A baron held his land upon condition that, when required by his king, he

should bring all his men, capable of bearing arms, into his service. The people were permitted to cultivate the lands of the barons on the condition that they, too, should do military as well as other service in behalf of their liege lords, in case of need.

The common people were called serfs, and were little more than slaves, being completely subject to the power of their masters. They were, however, permitted to live upon the lands of the chiefs, and though often treated with cruelty, and sometimes suffering the most degrading outrages, they were generally supplied liberally with the necessities of life.

It was about the year 480, that Clovis became king of France, the government being based upon the feudal system. This monarchy continued to increase in power, until it became established, and has ever since been one of the leading powers of Europe.

In Germany and the north of Europe, kingdoms continued to be established on a feudal basis, from the fifth to the twelfth century, until at last all parts of this quarter of the globe were subject to feudal monarchies, except Ireland, Italy, Greece and Turkey. In all these latter countries, absolute despotism, on the Asiatic plan prevailed, except in Ireland, where the people appear to have had something like representation in the government.

About the fourteenth century, arts revived and commerce began to flourish in Europe. These introduced a new era of light, and the vassals of the feudal lords at last discovered that while they were men, the lord was himself nothing more than

a man. From that period there was a gradual, but slow advancement, toward political truth and the breaking down of feudal bondage. This progress was more rapid in England than in any other country, but even there, it crept with reluctant steps; for it was the interest, and the endeavor, of her kings and priests, desirous of still holding their sway over the people, to prevent them from discovering their rights and their real power.

The first settlers of America came here, bringing with them the political discoveries which had been made in England: having nothing to cloud their minds, they soon enjoyed the broad sunshine of political liberty, which belongs to man as his birthright. This glorious illumination resulted, finally, in the separation of the colonies from England and the independence of America. The success of our government in making a people prosperous and happy, has shaken down the French monarchy, to be rebuilt, indeed, but with no feudal attributes. It has done much to modify the institutions of England, and to infuse principles of liberty into every other monarchy of Europe.

CHAPTER XXXVII.

France.



View in Paris.

BEFORE I proceed to give an account of our American government, it may be well to look a little more particularly into some of the leading governments of Europe. We will begin with that of France.

This monarchy began with Pharamond, who led into France, as has been stated, a tribe of Franks, about 420, who there established themselves. Clovis, one of his successors, who began his reign in 480, having established his government and adopted Christianity, is sometimes regarded as the founder of the kingdom.

The system of government was entirely feudal; the barons being held dependant upon the crown, and the whole people remaining in a state of vas-salage to the barons. Pepin the Short reduced the petty kings, occupying the country beyond the limits of the dominion of his predecessors; and his son, Charlemagne, who flourished about the year 800, conquered nearly the whole of Germany.

The successors of Charlemagne did not exercise dominion beyond the present limits of the kingdom, but France was now one of the leading powers of Europe, and it rapidly advanced in population, refinement, and wealth. In the pro-gress of time, the power of the king greatly increased, while that of the barons was gradually reduced. There was, however, in this process, little or no advancement toward the enjoyment of liberty on the part of the people.

Louis XIV., called the great, was one of the most powerful and accomplished sovereigns of France, and the period of his reign is esteemed the highest point of glory in the history of the monarchy. He came to the throne in 1642, at the age of four years, and reigned 73 years. His life was divided between efforts for the en-largement of his dominions by conquest, and de-votion to every species of pomp and luxury.

It was this king who built the palace of Ver-sailles, which was, and still is, one of the won-ders of human art. The sums of money squan-dered upon this edifice, and the gardens and fur-niture attached to it, amounted to hundreds of millions of dollars; yet this palace is now either a burthen, or a useless appendage to the throne of France.

The kings of this country had been, hitherto, little less than absolute, and the nobility possessed almost the wealth and power of princes. These had engrossed nearly all the lands, except the royal domains; and the tenants of these were still but vassals, subject to their despotic lords, and treated by them almost with as little feeling of justice as if they had been beasts of burthen.

The king exercised the most arbitrary sway over all classes of the nation. He could take the lives of even the greatest nobles, if not without the form of trial, at least without the shadow of justice. He had but to command his ministers to make out a warrant, and, signing his own name, it was sufficient to send the proudest peer in the realm to the Bastile or the block.

The Bastile was a gloomy castle in Paris, built in 1383; and perhaps a better idea of the tyranny of the government cannot be given, than by a sketch of the history of this famous prison. Persons were shut up in this horrid dungeon by the authority of *lettres de cachet*; that is, letters of arrest, written in the king's name, with blanks for the name of individuals; these were filled up by the ministers who possessed these letters.

Heads of families among the nobility, who wished to confine any member of the family, claimed the privilege of confinement by a *lettre de cachet*, and this privilege was next claimed by the ministers of government, to be used for the punishment of refractory servants and others.

It will be easily conjectured that it was not long before unprincipled ministers abused this right, by imprisoning worthy persons, who, in the actual discharge of their duties, had incurred the

displeasure of men of power by thwarting their interests.

In fact, the *lettres de cachet* were long the main stay of despotism, and they were used, not merely by the crown, but by many of its satellites. Men were imprisoned for offences too trifling to be registered, and remained thirty or forty years in the Bastile, or even till death, without any examination being instituted into the charges on which they were imprisoned.

A remarkable instance of this is furnished in the history of the celebrated "Iron mask," the most singular prisoner ever confined within the walls of the Bastile; in respect to whom, notwithstanding all the curiosity and conjecture that have been employed to ascertain his quality and pedigree, nothing authentic has transpired to the present time. In 1698 he was brought from the island of St. Marguerite, by Monsieur de St. Mars, the newly-appointed governor of the Bastile. He was attended with the greatest respect, maintained a sumptuous table, and had every possible indulgence shown him until the time of his death, Nov. 19, 1703.

This mysterious prisoner, on his removal to the Bastile, was carried in a litter, accompanied by several men on horseback, who had orders to put him to death if he made the slightest attempt to show his face, or otherwise discover himself. His face was concealed with a mask of black velvet, with springs of steel, which were so constructed that he could eat without taking it off.

A physician of the Bastile, who had often attended him, said he had never seen his face, though he had frequently examined his tongue,

and other parts of his body; but added, that he was admirably well made; that his skin was brown, his voice interesting; that he was very accomplished, read much, played on the guitar, and had an exquisite taste for lace and fine linen.

The pains taken in his concealment show that he was a person of considerable quality and importance; and from the following circumstances it appears singular that he was never discovered. Whilst at St. Marguerite, he one day wrote something with his knife on a silver plate, which he threw from the window toward a boat lying near the tower. A fisherman took up the plate and brought it to the governor, who, with great astonishment, asked the man if he had read the writing, or showed it to any one; and, although the fisherman answered in the negative, he was kept in confinement until the governor was perfectly satisfied, after which he dismissed him, saying, "It is lucky for you that you cannot read!"

The Abbe Papon says, "In the year 1778 I had the curiosity to visit the apartment of this unfortunate prisoner. It looks towards the sea. I found in the citadel, an officer in the independent company there, seventy-nine years of age. He told me that his father had often related to him, that a young lad, a barber, having seen one day something white floating on the water, took it up. It was a very fine shirt, written almost all over; he carried it to Mons. de St. Mars, who, having looked at some parts of the writing, asked the lad, with an appearance of anxiety, if he had not had the curiosity to read it. He answered him he had not; but, two days afterwards, the boy was found dead in his bed.

Immediately after the prisoner's death, his apparel, linen, clothes, mattresses, and everything that had been used by him, were burnt; the walls of his room were scraped; the floor was taken up, and every precaution used, that no trace of him might be left behind.

When he was on the road from St. Marguerite to his last residence, Mons. de St. Mars was overheard to reply to a question of the prisoner relative to any design against his life, "No, prince, your life is in safety; you must only allow yourself to be conducted."

A prisoner told M. La Grange Chancel, that he was lodged, with other prisoners, in the room immediately over this celebrated captive, and found means of speaking to him by the vents of the chimney; but he refused to inform them who he was, alleging, that it would cost him his own life, as well as the lives of those to whom the secret might be revealed.

Various are the conjectures that have been made as to who the masked prisoner was. Some have said he was the Duke de Beaufort; others, the Count de Vermandois, a foreign minister; and others, the Duke of Monmouth. Collateral facts, nevertheless, demonstrate that neither of these could have been the person. Voltaire, who has expressly written on this mysterious affair, says that the secret was known to Monsieur de Charnillard; and that the son-in-law of that minister conjured him, on his death-bed, to tell him the name of the man with the mask; but he replied that it was a state secret, which he had sworn never to divulge.

From the account given in a work published in

Paris, in 1790, it appears that this unfortunate person was, probably, the twin brother of Louis XIV., born eight hours after this monarch, and who was the unhappy victim of superstition and cruelty. His father, Louis XIII., being weak enough to give credit to the prediction of some impostors, that if the queen should have twin children, the kingdom would be involved in civil war, ordered the birth of this prince to be kept a profound secret, and had him privately educated in the country, as the illegitimate son of a nobleman; but on the accession of Louis XIV., the young man gave indications of having discovered his parentage, of which his brother being informed, ordered him to be imprisoned for life, and to wear a mask in order to prevent his being recognised.

At the commencement of the French Revolution, the attention of the public was drawn to the Bastile, and in July, 1789, the people assembled in force, and compelled it to surrender. The governor was murdered; the prisoners were feasted in Paris, and the whole edifice was finally demolished.

M. Mercier has given an interesting account of a prisoner who was confined for some expressions of disrespect towards Louis XV. He was set at liberty by the ministers of Louis XVI. He had been in confinement for 47 years, and had borne up against the horrors of his prison-house with a manly spirit. His thin, white, and scattered hairs had acquired an almost iron rigidity, and his body was firm and compact as the stone which environed him.

On the day of his liberation, his door was flung

wide open, and a strange voice announced to him his freedom. Hardly comprehending the meaning of the words, he rose and tottered through the courts and halls of the prison, which appeared to him interminable. His eyes by degrees became accustomed to the light of day, but the motion of the carriage which was to convey him to his former abode, appeared unendurable.

At length, supported by a friendly arm, he reached the street in which he had once resided ; but on the spot formerly occupied by his house stood a public building, and nothing remained in that quarter that he recognised. None of the living beings of the vast city knew him ; his liberty was a worthless gift, and he wept for the solitude of the dungeon !

CHAPTER XXXVIII.

France—continued. The Revolution.

THE history of government in France, since the reign of Louis XIV., is a tale of blood, but it is full of instruction. The wars and schemes of aggrandizement of this selfish king, had involved the nation in a weight of debt which could only issue in destruction.

Louis the XVI. assumed the crown of France, in 1774, under the most unfortunate auspices. He found a court abandoned to the utmost extravagance, and the country loaded with an enormous debt. The king convoked an assembly of the *Notables*, consisting of princes, deputies chosen

from among the nobility, dignified clergy, the parliaments, and the *pays d'etat*, or country land-holders.

It was proposed to establish a land tax, without any exception in favor of the nobility or clergy. This proposal being followed by a general refusal, the assembly of the notables was dissolved, and Necker, the minister, thought he could make a more advantageous bargain with the parliaments. But as the latter remonstrated, and advanced the opinion that the right of imposing new taxes belonged only to the *States General*, the king convoked them in 1789.

Necker's indiscreet measure, by which it was stipulated that the members of the *tiers etat* (the third order) should be, at least, equal to the other two orders conjointly, threw the preponderance into the scale of the former, who did not fail to find many adherents in the superior classes. As soon as the deputies of the third order had formed themselves into a *National Assembly*, the other orders were overruled, and the balance of the legislative branches of the government was thus entirely destroyed.

The storm of popular fury gathered and broke rapidly. The Bastile was taken and destroyed in July, as stated. On the 4th of August the privileges of the nobility were suppressed. On the 5th of October, 1789, the king, queen, and royal family were forced from Versailles by the mob, and brought captive to the capital. However, the monarch disconcerted the schemes of his adversaries by a free acceptance of the new constitution, which abolished the feudal system and the titles of nobility.

The situation of Louis and his family became so insupportable under the harsh restraints which were imposed, that they contrived to escape from their implacable enemies; but the unfortunate monarch, being recognised at St. Menehould, by Drouet, the postmaster, was stopped at Varennes, constrained to return to Paris with his family, and to become a mere prisoner.

While the king was preparing to surrender his throne and life, the jacobins caused a decree to be enacted, suppressing the chasseurs and grenadiers, of whom they were afraid, as well as the staff of the national guard. All the measures which they pursued, till the 10th of August 1792, had, for their sole aim, the overthrow of the monarchy.

On that day, the Marseillais, who had been invited to Paris to form the advanced guard in the attack on the palace of the Tuilleries, in conjunction with the national guards, fired on the devoted Swiss who composed the royal body-guard, and almost annihilated them. The king and his family sought refuge in the assembly; it was decreed that they should be imprisoned in the Temple, and they were conducted thither.

The national convention was opened on the 21st of September, and, in the first sitting, abolished royalty, and proclaimed the *Republic*. The king was tried and condemned, and on the 21st of January, 1793, he perished on the scaffold. The last words which his confessor, the Abbe Edge-worth, addressed to him were, “Son of St. Louis, ascend to heaven!”

Against the French republic, the emperor of Austria and the king of Prussia had already de-

clared war; and, on the death of Louis, their example was followed by Great Britain and Holland, and speedily after by Spain and Russia. While France was pressed on all sides by the different powers of Europe, this unfortunate country was a prey to all kinds of internal disorders, and to the most unbounded licentiousness.

Robespierre and Danton obtained a decree by which all the *sans-culottes*—the common people—were to be armed with pikes and muskets at the expense of the rich, who were themselves to be disarmed, as suspected persons. Towards the close of June, 1793, the new constitution was adopted, and great disturbances broke out at Lyons, Marseilles, and in La Vendee.

About this period the Committee of Public Safety was established, which proceeded to desolate France by the most horrid butcheries and persecutions. They apprehended all suspected persons, and tried them by revolutionary committees, the powers of which were so unlimited, that they could readily seize on four fifths of the population of France.

One of their early victims was the unhappy Marie Antoinette, the widow of the murdered Louis. Her death was followed by the destruction of those who belonged to a party called Girondists. The infamous duke of Orleans, a relative of the king, was brought up to Paris from Marseilles, and, being tried and condemned, braved the insults of the multitude on the way to execution.

Brittany and a great part of Normandy being filled with the royalists, who had acquired the denomination of *chouans*, Carrier, one of the most

atrocious monsters of the revolution, was sent to Nantes, where he spared neither age nor sex, but put to death the aged, the infirm, and even infants. The atrocities committed by the satellites of the convention in the city of Lyons, exceeded all that can be conceived; at the end of five months, nearly 6,000 persons had perished.

In Paris the executions were now multiplied to such a degree that eighty persons were frequently conveyed in the same vehicle to the place where they suffered. To cite the names of all the illustrious victims who fell, would far exceed our limits, and, at the same time, present too horrid a picture of human depravity. At length Robespierre, Couthon, and St. Just, the leaders in these murders, were themselves brought to condign punishment.

A form of government was afterwards settled by the convention; and a council of ancients, a council of five hundred, and five rulers, called a directory, were appointed; but the other powers of Europe being still in league against France, and the new government being unfortunate in the field, the executive power was, in 1799, vested in three consuls, of whom the first was the victorious Napoleon Buonaparte.

It is not necessary to trace the history of this remarkable individual. It is sufficient to say that he soon overturned the government that had risen upon the wreck of the monarchy, and established a military despotism, of which he became the head. He was crowned emperor in 1808, and, from this period, devoted himself with amazing energy to the formation of a system of laws, the improvement of roads, and other internal improve-

ments; the extension of commerce and manufactures, and to foreign conquest. In all these he was generally successful, till, having been defeated in an invasion of Russia, he was driven back to France, and after various events was finally defeated at Waterloo, in 1815.

Louis XVIII., brother of Louis XVI., was restored to the throne of his family; but in 1825 he died, and was succeeded by his brother, Charles X. The misfortunes of the Bourbons had not taught them wisdom; and Charles, fancying that he could exercise tyranny as his father had done, caused an edict to be issued restraining the liberty of the press.

An insurrection immediately broke out, and in three glorious days a revolution was achieved. Charles fled to England, and Louis Philippe, duke of Orleans, was chosen king. A charter, or constitution, was formed, and is now the basis of the government. The crown is hereditary, but its power is limited by a parliament consisting of a house of commons, chosen by the people, and a house of lords, consisting of peers, whose titles continue only during their lives.

This recent history of France is full of instruction. It shows that tyranny, carried to a certain point, is sure to bring those who exercise it to destruction, while it involves whole nations in unutterable miseries.

The French revolution was the necessary result of the accumulated wrongs which the nation had suffered for ages from their rulers. The people by one act hurled the monarchy to the earth; but, unaccustomed to self-government, themselves vicious and corrupt, they became the dupes of other

despots, even more monstrous than those who claimed to rule by divine right.

In the midst of anarchy and confusion, one mighty hand seizes upon the reins of government, and calling to his aid the force of the bayonet, subjects the whole country to his sway. His grasping ambition arouses the nations, and he, too, is prostrated, like a pyramid hurled into atoms, and levelled with the dust.

The ancient monarchy is now restored. Again the king resorts to an act of tyranny, and again the tempest of revolution bursts upon the people. But, amid all this confusion, something has been learned. Some progress has been made in the education of the people in the art of self-government, and now they are able to secure the advantages of their triumph over a despotic ruler. The result of this second revolution in France, was the securing of a charter, or a constitution, which is a barrier to the power of the crown, and a protection to the liberties of the people. Thus the government of France has become a limited, or constitutional, monarchy, instead of a despotic one, as it was, in effect, down to the time of Louis XVI.

The lower house, in the legislative branch, is called the Chamber of Deputies; the upper house, the Chamber of Peers. The peers are nominated by the king. The whole number of persons who vote for deputies, is but about 130,000. The forms and modes of proceeding in the French parliament, are similar to those in the British parliament.

CHAPTER XXXIX.

Kingdom of Great Britain and Ireland.



Tower of London.

THE political history of Great Britain is worthy of the most attentive perusal; for here we shall see the best delineations of the struggles of mankind for liberty, to be found in the records of the human family. Here we shall also find the germs of our own political institutions; and seeing how mighty has been the cost at which freedom has been discovered and vindicated, we shall learn to appreciate the blessings we enjoy.

The first knowledge of Britain appears to have been acquired in the time of Cæsar, who partially conquered the country about fifty years before Christ. Succeeding generals completed this conquest, and it became a Roman province.

Rome held possession of the country till about A. D. 450, when she was herself prostrated by the Goths and Vandals. During this period she had partially civilized the Britons, who, like the Gauls, were Celts, living in a nearly savage state. No longer protected by the Romans, Britain fell a prey to the Danes, and afterwards to the Saxons, who established their dominion in the country.

During these events, the population of England became a mixture of the original Britons, Romans, Danes and Saxons, though the last constitute by far the largest ingredient. Alfred the great, of the Saxon line, may be regarded as the founder of the English monarchy, and as the author of many of its best institutions.

He was the youngest son of Ethelwolf, king of the west Saxons, and was born at Wantage, in Berkshire. He went to Rome at the age of five years, and was anointed by the pope, although he then had an elder brother. However, in 872 he ascended the throne.

This was an unpropitious time, for the power of the Danes was then great and employed in harassing the Saxons, whose country they ravaged in various directions. Alfred concluded some treaties with them, but they were not kept; and, unable to make head against the invaders, he was compelled to fly, and in concealment to await a moment when his re-appearance would be advantageous for his country.

In the disguise of a harper he penetrated the Danish camp, to gain information of the strength of his foes, and, having satisfied himself, directed his nobles and their vassals to assemble at Selwood. Here he headed the troops, and attacking

the Danes at Eddington, gained a signal victory. He permitted those Danes who were willing to embrace the Christian religion, to remain in the kingdom of East Anglia, which he surrendered to them.

He built forts to secure his subjects, augmented and strengthened his navy, and established the prosperity of London on a firm basis. He met and defeated the Danes, who still persisted in attempting to obtain footing in England, and made his name a terror to the pirates; he fought fifty-six battles by sea and land, in every one of which he was personally engaged.

His zeal for the reformation of laws and manners, is as honorable to him as his military prowess. He composed a code of laws, instituted the trial by jury, and divided England into shires and tithings. So successful were his regulations that it is said the crime of robbery was unknown, and the most valuable goods might be exposed upon the highway, without any dread of thieves. Alfred formed a parliament, which met at London semi-annually.

He was an ardent lover of learning, and was himself a distinguished scholar. To promote it he invited learned men from all parts, and established schools throughout his kingdom. He is said to have been the founder of the University of Oxford, or, at least, to have exalted it to a height which it had never before attained. He composed several works, and translated others for the benefit of his subjects.

He was industrious and fond of order, dividing the twenty-four hours into three portions; one devoted to religious duties, another to public affairs,

and the third, to rest. Alfred laid the foundation of the navy of England, by building galleys of a size superior to any others of the age. In private life he was distinguished by piety, affability, and cheerfulness. His person was commanding and stately.

William, duke of Normandy, laid claim to the crown of England in 1066. Landing with an army he triumphed in the famous battle of Hastings, and was seated upon the throne, thus establishing a dynasty of French kings. He brought with him many French nobles, and encouraged others to settle in the country. He also adopted the French language as that of the court, the government, and the bar. Thus French manners became grafted upon those of the English; and the English tongue received that infusion of French words and idioms which appear to the present day.

CHAPTER XL.

England—Continued.

JOHN came to the throne 1199. He was a detestable tyrant, and even the barons, usually the supporters of the crown, right or wrong, united against him. Tired out with his exactions and his weaknesses, they called on him to sign a paper, securing certain rights and privileges to themselves and the people.

This John refused to do, but at last, finding himself abandoned by everybody, and in a most

desolate condition, he sent the earl of Pembroke, a nobleman distinguished for virtue and ability, to propose a conference with the barons. A meeting accordingly took place on Friday, the 15th of June, 1215, in a large meadow between Windsor and Staines, called Runnymede, which means the *meadow of council*. This was so called because it had been used by the Saxons as a place for public meetings. At this meeting was signed the famous *Magna Charta*.

The charter itself is in Latin. The reader would hardly care to see the whole, but I will give some brief particulars respecting it. It must be borne in mind that, under the feudal system, the power of the kings was very oppressive, and had become more and more so, till no subject could act in the commonest affairs of life without the king's consent, and this could be obtained only for money.

We may suppose the sort of interference the king had in every person's concerns, when we are told that nobody could marry without his consent; and that he could oblige heiresses to marry whom he liked; and even widows, who often paid fines to save themselves from being compelled to marry again.

We read of a countess of Chester who paid king Stephen five hundred marks, that she might not be obliged to marry again for five years; and of a countess of Warwick who paid king John five hundred marks, that she might not be obliged to marry till she pleased. Justice of every kind was bought and sold, like any other commodity.

The object of the magna charta was to put a stop to these fines and oppressions. It contained

sixty-three different clauses; and when I have told what a few of them were, the reader will easily comprehend the degree of vexatious tyranny the kings had been accustomed to exercise over the people, and which alone could make such clauses necessary.

The following are examples: That the goods of every free man shall be disposed of, after his death, according to his will; that, if he die without making a will, his children shall succeed to his property: that no officer of the crown shall take horses, carts, or wood, without the consent of the owner: that no free man shall be imprisoned, outlawed, or banished, unless by the judgment of his peers, or the law of the land: that *even* a rustic shall not, by any fine, be bereaved of his carts, ploughs, and implements of husbandry. This last was the only article in that great charter for the protection of the laboring people! The invidious word "*even*," shows, plainly, how little they were considered or thought of at that period.

From the time of John, England continued to make slow, but certain advances in civilization, and in the art of government. But still the feudal system continued to exist, modified and softened, though in a high degree oppressive. The power of the king and the privileges of the nobles, swallowed up the rights of the nation.

But there was a point beyond which the people of England would not now endure oppression; and in 1649, Charles I. was brought to the block. The government was seized upon by the strong hand of Oliver Cromwell, who, by a singular mixture of hypocrisy and wisdom, had acquired great influence over the nation. For several years

he ruled the country with the title of Protector, but with the despotism of a king. It is to be remarked, however, that his public policy had for its end the prosperity of the nation; and England cannot boast a sovereign whose rule has redounded more to the benefit of the country, than that of the usurper, Cromwell.

Charles II. was restored in 1660; and since that time, under various sovereigns, Great Britain has continued to advance in power, and may now be considered the most formidable kingdom upon the globe. If, indeed, we look to the high pitch of civilization to which she has attained, the extent of her navy and her armies, her means of carrying on war, her influence in the councils of nations, her commerce and her vast possessions, we must admit that the world has never before presented such a spectacle of political greatness, in a single nation, of either ancient or modern times.

CHAPTER XLI.

Present State of the British Empire.

THE British empire embraces not only England, Ireland, and Scotland, which constitute what is called the home country, but a range of colonies and dependencies in all quarters of the globe.

England may be considered the central and principal portion of the empire. United to Wales it contains fifty-two counties, and a population of about fourteen millions. Scotland, which was incorporated with England in 1707, contains thirty-

three counties, and a population of about two and a half millions. Ireland, which was conquered by the English at an early period, but not united under the same legislative system till 1800, contains thirty-two counties, and a population of nine millions.

The oldest existing colonies of Britain are those of the West Indies, chiefly consisting of a series of islands stretching across the Great Bay which nearly divides North from South America. Jamaica, the largest, and most important of these islands, contains about four hundred thousand inhabitants, of which only about thirty-seven thousand are white people; the rest being negroes, the most of whom were originally slave laborers. Barbadoes, Trinidad, and the other West India colonies, are less populous; the full amount being, in each case, divided in about the same proportions between blacks and whites.

Half a million of square miles of the peninsula of Hindostan, containing a population of a hundred millions, have, in the course of the last century and the present, fallen under the power of the association of English merchants, called the East India Company, who, by virtue of a charter from the government, administer the affairs of the natives, in whose revenue they enjoy a source of vast wealth. A still larger portion of Hindostan is under the protection, but not the direct government, of the company.

Goods to the value of four millions of pounds are annually exported from Britain to the East Indies; while goods to the value of above six millions of pounds are imported from the East Indies to Britain. A revenue of above twenty-

two millions of pounds is annually drawn from that country. A dependency of so much territorial value, so numerous a population, and so large a revenue, was never before possessed by any country. It is, perhaps, a question, whether the prosperity and happiness of the people have been greatly advanced by their British rulers.

Next in importance and antiquity among the British dependencies, are the two provinces of Upper and Lower Canada, and the colonies of Nova Scotia, Cape Breton, Prince Edward's Island, Newfoundland and New Brunswick; all of which form portions of North America. These colonies are chiefly occupied by British emigrants and their descendants; the total population being somewhat more than a million, and rapidly increasing.

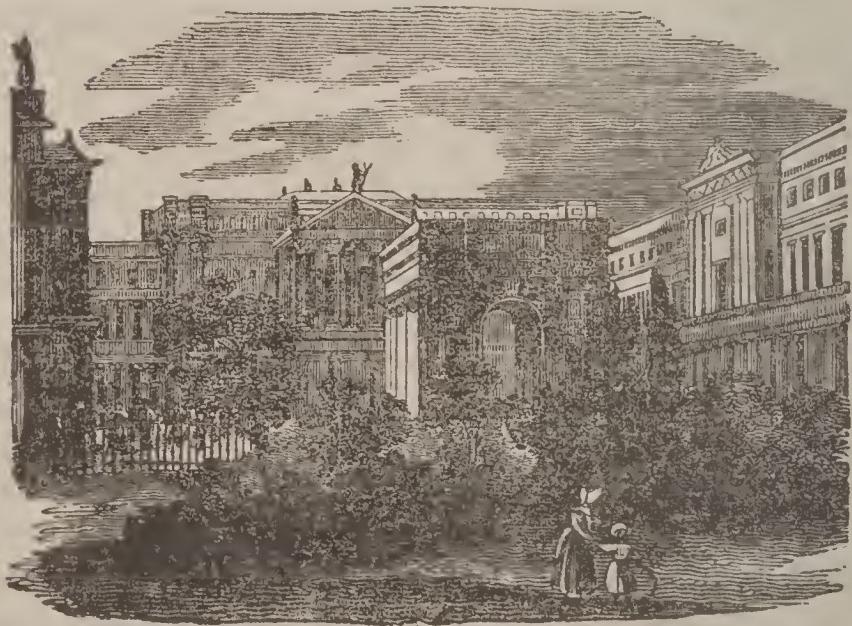
In New South Wales, Van Dieman's Land, and other Australian colonies, Britain possesses a million and a half of square miles, occupied by a white population of about fifty thousand. At the Cape of Good Hope and other possessions in Africa, she has ninety thousand square miles, and a hundred and fifty thousand inhabitants. In the Mauritius, an island in the Indian Ocean, formerly a slave colony, there is a population of a hundred thousand, mostly negroes. The Ionian Islands, Malta, and Gibraltar, in the Mediterranean, and the small islands of Ascension and St. Helena, in the Atlantic Ocean, complete the sum of the British foreign possessions.

The importance attained by the British in the scale of nations, appears to depend mainly upon two features of the national character—their intellectual and moral advancement, and their extraor-

dinary industry and skill in producing articles of necessity and luxury, as well as their dexterity in the commerce by which these are diffused over the world. The genuine British character, taken all in all, is one of probity, intelligence and activity, and is adapted to the attainment of supremacy and the establishment of good institutions.

CHAPTER XLII.

Government of Great Britain.



THE government of this large, and industrious, and wealthy kingdom, is conducted according to the forms and principles which have come into operation in the course of the events already alluded to.

The EXECUTIVE—that is, the powers by which the laws are enforced—is entrusted by the nation to an hereditary monarch.

The LEGISLATURE—that is, the power by which the laws are created—consists of three distinct but combined powers: 1, a *House of Commons*, composed of six hundred and fifty-eight gentlemen, elected by certain portions of the people; 2, a *House of Peers*, composed of the hereditary nobles of England, the English archbishops and bishops, a certain number of lords representing the Scottish and Irish peerage, and a certain number of spiritual lords representing the Irish hierarchy; and finally, 3, the *King*.

The House of Commons and Peers, otherwise styled the lower and upper houses, form a compound deliberative body, called *Parliament*, which is liable to be called together, and prorogued or dissolved at the king's pleasure.

These law-making and law-executing powers combine, in one system, called the *British Constitution*, a variety of political principles, which are usually found acting singly. The House of Commons, as a partial representation of the people, may be said to be founded on the principles of democracy; or people sovereignty. The House of Peers, which is independent of direct popular control, presents the principle of aristocracy, or noble sovereignty, while the king contributes the monarchical principle, or sovereignty of one.

It must be allowed, in explanation of a system so extraordinary, that the particular portions of the constitution have not always borne the same relative power, and that principles naturally so inconsistent, could never perhaps have been combined

at all, except by a process extending over many ages, and which has, on the whole, secured the sanction of the people.

In early times, the king possessed the chief influence, while the parliament, in general, was rather an obsequious council of the sovereign, than an independent body. At the revolution of 1688, the strength of the monarchy was diminished by a breach of the hereditary line, and the Parliament became the predominant power. As the nobility and superior gentry had then the chief influence in both houses of Parliament, it might be said that the aristocratic principle had become ascendent.

It continued to be so, till the passing of the reform bill, in 1832, when, the power of electing the majority of the House of Commons being extended to the middle classes of the people, the democratic principle was, for the first time, brought into a considerable degree of force.

The House of Commons is composed of four hundred and seventy-one members for England, of whom three hundred and twenty-four are for boroughs, one hundred and forty-three for counties, and four for universities; twenty-nine members for Wales, of whom fourteen are for boroughs, and fifteen for counties; one hundred and five for Ireland, of whom thirty-nine are for boroughs, sixty-four for counties, and two for the Dublin university; and fifty-three for Scotland, of whom twenty-three are for cities and boroughs, and thirty for counties: six hundred and fifty-eight in all.

The constituency, that is the body of voters by which the members are elected, is about twelve hundred thousand in number, or one twentieth of the whole population. The qualifications of an

elector in counties, are the having been entitled to vote on a freehold qualification before the passing of the reform act; the holding land in copyhold of the clear annual value of ten pounds; the possessing land or houses of ten pounds annual value in property; or on a lease of not less than sixty years in England, and fifty-seven in Scotland; and the occupation of lands or tenements in England for any period, and in Scotland for nineteen years, at an annual rent of not less than fifty pounds.

The qualification of an elector in boroughs, is the occupation of a house of ten pounds annual rent; the resident freemen in English and Irish boroughs being also allowed to vote. The utmost duration to which a Parliament can extend is seven years; and a new House of Commons must be elected within six months after the commencement of every new reign. The king, however, frequently exercises his prerogative in dissolving Parliament a considerable time before the expiration of the full period allowed to it by law.

The House of Lords consisted, in 1833, of four hundred and twenty-six lords, of whom four were dukes of the blood-royal, three archbishops, twenty-one dukes of English title, nineteen marquises, one hundred and nine earls, eighteen viscounts, twenty-seven bishops, one hundred and eighty-one barons, sixteen Scottish peers, and twenty-eight Irish peers. The king possesses the power of creating peers, and of nominating the bishops. The Scottish representative peers are elected by the whole body of the peerage of that country, at the commencement of every new Parliament, or on the occurrence of a vacancy; the Irish representative peers are elected also by the whole body of the

peerage of their country, but for life. The Irish spiritual peers sit in rotation.

The king is not only at the head of the executive; he is also the head of the church, the commander of the army, the dispenser of all titles of honor, and even, by a fiction of the law, the person of whom all the landed property in his dominions is held. The queen has the same power as a king.

In the right of appointing the bishops, the judges, the lords lieutenant, and justices of peace of counties, the officers of the army and navy, and many officers and public servants, the king possesses a large amount of patronage, which conduces, in no small degree, to the maintenance of his authority. He has also the sole right of declaring peace or war, though, in the latter instance, he is effectually controlled by the House of Commons, which may give or withhold the requisite funds, as it sees proper.

Out of respect for the hereditary principle and the royal character, it is held that the king cannot of himself do any wrong, or be personally called to account for his actions. The responsibility for the performance of his functions rests with a body of servants chosen by himself, and designated his *ministers*, who cannot continue in that character without the approbation of parliament, and are liable to be impeached by that body if they commit any grievous error.

Twelve of these officers, named the First Lord of the Treasury, the Lord Chancellor, the Lord Privy Seal, the President of the Council, the Secretary of State for the Home Department, the Secretary of State for the Foreign Department, the Secretary of State for the Colonies, the Chan-

cellor of the Exchequer, the First Lord of the Admiralty, the Master-General of the Ordnance, the President of the Board of Control, and the Chancellor of the Duchy of Lancaster, usually constitute what is called the *Cabinet Council*, or Council of the King's Cabinet, to deliberate upon all matters of importance.

Besides this body, the king has a *Privy Council*, consisting of persons eminent from rank, office, or personal character, who may be at variance with the Cabinet Council, but take no share in the government, except when summoned by the royal authority. They are then in the same situation with the Cabinet Ministers, and responsible for the advice they give.

CHAPTER XLIII.

Legislature and Judiciary of Great Britain.

THE two houses of Parliament usually sit, during a considerable portion of every year, in deliberation upon the affairs of the country, and for the enactment of new, or the repeal of old laws. Any member of either house may propose a new law; but this duty is chiefly undertaken by the king's ministers, and it is in the lower house, that new laws are usually proposed.

When a proposed law has been introduced in the shape of a bill, and sanctioned in one house, it passes on to the other, which may receive, reject, or modify it. If it passes both, it is submitted to the king, who may give or withhold his approba-

tion. When it has received the sanction of all the three branches of the legislature, it is called an Act of Parliament, and becomes part of the laws of the country.

The bills for the pecuniary supplies necessary for the public service, are introduced exclusively by the House of Commons: they may be rejected by the House of Lords; but for that house to alter them, or to introduce any bill which involves pecuniary supply to the government, is considered a breach of the privileges of the House of Commons.

The money annually raised by Parliament for the public service and the payment of the interest of the national debt, was, in 1760, about nine millions, and in 1793, seventeen and a half. The sum now generally raised, is nearly fifty million of pounds.

Justice, civil and criminal, is administered in England and Ireland according to laws and forms which took their rise in the former country, and were in time extended to the latter. The English law, as it is comprehensively termed, is of two kinds—written or statute law, consisting of the laws established by act of Parliament, and *consuetudinary* law, consisting of customs which have existed from time immemorial, and have received the sanction of the judges.

Consuetudinary law is again divided into *common law* and *equity*; the former is administered by courts which profess to adhere strictly to the old laws of England, except in as far as they are altered by statute; the latter was founded upon the principle that the king, in cases of hardship, was entitled to give relief from the strictness of the common law. *Equity*, though thus originated, has

now become also a fixed kind of law, and is administered in courts which decide according to established rules.

In Scotland, laws peculiar to itself, founded upon the principles of the Roman and the Feudal law, are administered by a supreme civil tribunal, denominated the *Court of Session*, which remains fixed at Edinburgh; and by a criminal tribunal, named the *Court of Justiciary*, which not only sits in the same city, but makes circuits through the provinces. Minor civil and criminal cases are also judged in Scotland by the sheriffs of the various counties, and the magistrates of the burghs.

CHAPTER XLIV.

Other Governments of Europe.



Scene in Venice.

SPAIN was long an absolute monarchy; the power of the king having no limits, except such as public opinion interposed; and these were very slight among a people without education. The evils of this kind

of government were greatly aggravated by the tyrannical character of many of their sovereigns. The heir apparent to the throne is called the Prince of Asturias; the other royal children are called Infanta.

In 1837, a new constitution was formed, intended to be adapted to the more liberal spirit of the age. By this charter, a legislature is established, consisting of a senate, called the Cortes, and a congress of deputies. These bodies united, have the power of enacting laws with the royal sanction.

The senators are chosen by the king from a list of persons nominated by the electors. The deputies are chosen by the electors.

The history of *Venice*, in Italy, is full of interest. About the year 421, the people appear to have established themselves in numbers, where the city now stands. The settlement increased, and became in time, the seat of a powerful state. In the early period of its history, the government was *ducal*, but in after times, the chief magistrate was a *doge*, who was elected for life, from the nobles.

Though *Venice* was called a republic, yet it possessed none of the attributes of freedom which the name implies. The nobility, in fact, ruled the state, constituting a tyrannical aristocracy. The history of no despotism affords instances of more fearful cruelty and oppression, than that of *Venice*, while bearing the title of a republic.

The government was, however, conducted with energy, and, as far as it tended to promote the power of the state, with sagacity and wisdom. It encouraged commerce, and thus acquired vast wealth. The Venetian navy was the most con-

siderable in the world, for several centuries, and it long gave Venice an ascendancy in the Mediterranean. In 1797, it was taken by the French, under Bonaparte, and afterwards was ceded to Austria, which still holds it, with the adjacent territory, under the title of the Lombard Venetian kingdom.

Genoa, was for several centuries, an independent state, and like Venice had a doge for its chief magistrate. He was elected for two years, from among the nobles. This state attained considerable eminence, and possessed an extensive navy; its commerce was carried on with success, and at some periods, Genoa almost rivalled Venice.

At the present time, there are several distinct governments in Italy. *Sardinia* is an absolute hereditary monarchy. *Austrian Italy*, including Venice, is governed by an Austrian viceroy, who exercises arbitrary power in a tyrannical manner. The duchies of *Modena* and *Parma* are mild despotisms. *Lucca* is governed by a duke, aided by a chamber of deputies. *Tuscany* is an absolute monarchy, but under the present duke, the despotic power is mildly exercised.

The *States of the Church*, including the city of Rome, are governed by the pope, who is elected by the cardinals from among themselves. His power is absolute. The kingdom of *Naples* is also an absolute monarchy.

Greece had been for nearly four centuries under the grinding oppression of the Turks. In 1821, they declared their independence, and after a long and bloody conflict, it was established, and Otho, a Bavarian prince, became their sovereign in 1830.

His power is limited by a legislature, consisting of a senate and house of representatives, chosen by the electors.



The government of *Turkey* is a pure despotism, there being nothing to check the will of the Sultan. He is considered the successor of Mahomet, and thus increases his authority by laying claim to a sacred character. Nothing can exceed the fear and awe inspired by the Sultan. Even his wives call him the “lion.” The court is called the Sublime Port, and treaties are dated “from our stirrup.” The divan, or council of state is composed of the ministers of the interior, exterior and finance. There is no security for property; public officers thrive by extortion. The idea of patriotism is not known in the country.

Switzerland consists of twenty-two cantons, each of which is a sovereign state, but they are united into a confederacy for the preservation of order and

the security of independence. The diet, or ~~federal~~^{federa} congress, is composed of deputies from the cantons; each canton having one vote. The president is styled the landammann. This diet has nearly the same power as our congress; but each state or canton is governed by its own laws. Justice is generally well administered; but this is more from the good spirit of the people than from the excellence of their laws.

Austria is an absolute despotism; the sovereign is styled emperor. In some of the provinces, as in Hungary and Transylvania, his power is checked by a diet. Justice is well administered, and the government generally exercises its authority with mildness.

Prussia is an absolute monarchy; yet the sovereign wields his power with a regard to the interests of the people. All the men are drilled in military exercises, and all are compelled to go through a course of education, provided by the government. There are twenty-two thousand common or primary schools in the kingdom.

The principal *German States* are united in a federacy, called the German diet; the object of which is to secure general tranquillity. It embraces thirty-six monarchical states and four republics, called free cities.

Holland and *Belgium* are monarchies with legislatures. *Denmark* is an unlimited monarchy, with much practical freedom; the laws are just, and well administered. *Sweden* is a limited monarchy. The diet has some resemblance to the British Parliament, but is composed of four bodies, meeting in different houses. These are the nobles, clergy, peasants, and inhabitants of towns. *Norway* is

united to the Swedish crown, and is governed by a viceroy, whose powers are limited by the representative assembly, called horthing.



View of a Russian palace.

Russia is an absolute despotism. The emperor is called czar. He exercises his authority with rigor, and sometimes with capricious injustice. The nobles are numerous, and large portions of the people are no better than slaves. The courts are by no means free from corruption, and the rich have always an advantage over the poor. The punishments, though greatly mitigated, are many of them barbarous and severe. Banishment to Siberia is common for political offences.

The revenues and resources of the government are extensive, though it is much embarrassed by debt. The navy is considerable, and increasing. The army is extensive, well trained, and more

formidable than that of any other European power. The position of Russia is commanding, and under the auspices of its present emperor, Nicholas, is making rapid progress in civilization, wealth, and power.

CHAPTER XLV.

Discoveries in America, &c.



Indians of America bringing fruits to Columbus.

HAVING now taken a brief view of foreign governments, let us turn our attention to our own country. In order to understand the political institutions of the United States, we must take a glance at our early history.

In 1492, Columbus discovered the islands of the West Indies, before which time the existence of America was wholly unknown to the people of Europe, Asia, and Africa. These countries being called the *Old world*, the American continent was called the *New world*.

The inhabitants of this entire hemisphere were of the copper colored race, to whom the name of Indians was applied. Most of them were in a savage state, though two extensive empires existed, Mexico and Peru, both of which had made considerable progress in the arts of civilization. These had cities, the art of writing by hieroglyphics, a knowledge of working certain metals, and established monarchical governments.

The origin of the American Indians is hidden in mystery. They had themselves no certain records and no traditions which satisfactorily solved this interesting question. It is only by considering that Asia and America are so near together at Bhering's straits, that a rude people might cross in boats; and by remarking the resemblance between the customs of Mexico and Peru, to those of the ancient Persians and Egyptians; that we infer, with a good degree of probability, that the first settlers of America, and the progenitors of the Mexican and Peruvian Indians, came from Asia. The time of their emigration cannot be determined; but as no monument of the event is distinctly traceable in any country, it must have been ages ago. The other tribes of Indians, scattered over the continent, probably emigrated also from Asia, at later periods, but still, long since.

The discovery of Columbus having been made under the flag and by the aid of the king of Spain,

that monarch seized upon as much of the new world as he could grasp. The finest of the West India islands, the great and rich empires of Mexico and Peru, and nearly all the rest of South America, with other territories, were taken by Spain.

Other portions of the country were seized by other powers of Europe. France got possession of the country along the St. Lawrence and the Mississippi, and England picked here and there upon the Atlantic border of North America, as she could find a prize worthy of her notice.

In this greedy scramble, the first object was gold and silver, which had been found in abundance in Mexico and Peru. But, after these became scarce, other objects were sought by the emigrants: some came for trade, some to cultivate the lands, and some to escape from religious persecution, which was then the great business of kings and priests, both in England and France.

The rights of the European natives to territory in America were founded in discovery. Thus, a ship having been fitted out in England, by command of the king, proceeded to this continent, and discovered the country from Labrador to Virginia. England, therefore, claimed all this territory, because one of her captains thus saw it before any other European.

By this right of discovery, various European powers got possession of the different parts of America; and although we cannot see any very good reason why discovery should confer such rights, still, when followed by occupancy, it has ever been regarded as a valid ground of claim, by civilized countries.

It appears that these European powers did not

consider the Indians as having any other right to the land which they had inherited and possessed for ages, but that of occupation. These people being savages and heathen, were looked upon as children or incompetent persons, over whom civilized and Christian governments had a right to assume guardianship and control.

Perhaps this, in theory, might be vindicated, but the practice of the European nations toward the natives was little less than a system of plunder. The Spaniards generally proceeded at once to conquer the natives of the countries of which they took possession, and thus reduced them to subjection.

The English adopted a system somewhat more just in appearance, though as destructive in its results. They purchased the lands of the natives, but usually made such sharp bargains that the whole inheritance of the tribes was soon bartered away, and they either perished, or sought other lands by emigration to the west.

CHAPTER XLVI.

The establishment of the English Colonies.

THE first settlement within the boundaries of the present United States was made in Virginia, in 1607, by a company of English emigrants. They settled on James' river and built Jamestown.

These persons took possession of the territory by virtue of a charter granted to Sir Thomas Gates and his associates, by James I., king of England, in 1606; for it will be remembered that the king

of England claimed the country by virtue of the discovery of Cabot, more than a century before.

This charter of king James granted to the Virginia company the territory between the thirty-fourth and forty-fifth parallel of latitude, and of course included the whole Atlantic country, from the southern point of North Carolina to New Brunswick. This company was afterwards divided, one taking the southern, and the other the northern portion of this land. Several distinct colonies became established within the limits of this grant to Sir Thomas Gates and his associates.

New York was settled by emigrants from Holland, in 1613. Their chief object was to trade with the natives for furs, and the first settlement was made at Albany. The next year, a small company established themselves on Manhattan island, and founded the now populous city of New York. This settlement of the Dutch was upon territory claimed by the king of England by the prior right of discovery, and of course it was esteemed an aggression. The settlement came into the hands of the English, by cession, in 1644, and after that, they held it as an English colony.

The first settlement in New England was made at Plymouth, in Massachusetts, in 1620, by certain persons called Puritans, who had fled to Holland on account of religious persecution, and having remained there several years, came to America. They were soon followed by others from England, and in the space of a few years, the colonies of Massachusetts Bay, Connecticut, Rhode Island, and New Hampshire were established.

Maryland was settled by about two hundred Catholics, in 1634, who also came to escape from

religious persecution. New Jersey was settled about 1664; Pennsylvania in 1684. The latter colony consisted of Quakers, who made their settlement under the direction of the celebrated and kind-hearted William Penn. Delaware was first settled by a company of Swedes and Finns, in 1627.

North Carolina was settled by persons who fled from religious intolerance in Virginia, between 1640 and 1659. In South Carolina, the first permanent settlement was made at Port Royal, under governor Teagle, in 1670. Georgia was settled in 1732 by poor emigrants sent thither by an association of benevolent persons in England.

Thirteen colonies were thus established in North America. These consisted of 1. Massachusetts, which now included the Plymouth colony; 2. Connecticut; 3. New Hampshire; 4. Rhode Island; 5. New York; 6. New Jersey; 7. Pennsylvania; 8. Delaware; 9. Maryland; 10. Virginia; 11. North Carolina; 12. South Carolina; 13. Georgia.

These were the thirteen colonies that declared war against England, in 1776. It will be recollectcd that Maine was attached to Massachusetts. Vermont was never a colony; the territory was claimed both by New Hampshire and New York; the people fought against the British in the war, but did not join the confederation.

CHAPTER XLVII.

General Remarks on Colonies, &c.

IT appears to have been the practice of commercial nations, in very early times, to send out companies of their people to settle in distant countries. As these settlements require protection, they receive it of the mother country, and, in return, allow that country to exercise government over them. These settlements, often remote and always dependent, are denominated colonies.

The great inducement to found and encourage colonies, has been, that they promoted trade and commerce, and thereby increased the wealth of the nation to whom they belonged. Carthage, established a century before Rome, was at first but a colony of Phœnicia. It afterwards became independent, and was long the most powerful state in Africa. It established numerous colonies, particularly along the coast of Spain, and from these derived a large share of its prosperity.

Greece, also, had a number of colonies, but her commerce, as well as her settlements, were chiefly confined within the shores of the Mediterranean Sea. Rome was never a commercial power, for she chose rather to thrive by conquest than trade. She had, therefore, no commercial settlements which could properly be called colonies.

After the Roman Empire fell into the hands of the Northmen—about the year 450—for many centuries commerce did not flourish, and the whole world long remained in the darkness of ignorance and poverty. During the middle ages, the Euro-

pean States had little trade by sea, and, indeed, the commerce of the world was chiefly carried on by land. Genoa and Venice are among the most thriving commercial States of this period, and these had some colonial settlements.

But it was not till the fifteenth century, that colonies were established on an extensive scale. The Portuguese were the first to extend their discoveries, and at that period they founded colonies along the Atlantic borders of Africa, and even in India. The discovery of America soon followed, and then a system of colonizing those portions of the new world which belonged to each European power, by virtue of discovery, was adopted.

Thus, the whole continent of America, North and South, became parcelled out among the different European nations, the settlements all being colonies: that is to say, they were all considered as belonging to European countries; and while each claimed protection from its particular government, it submitted also to the laws prescribed by that government.

This was the situation of the thirteen English colonies, described in chap. XLVI. These had all been settled within the territory claimed by Great Britain, as being discovered under her flag. They had all claimed the protection of Great Britain, which was called the mother country; and they had all submitted to the government of Great Britain. These colonies were considered of so much importance to that kingdom, that they were spoken of as “the brightest jewel in her crown.”

It must be remarked, however, that the colonists generally settled in America, under charters granted by the king, or obtained some charter at a sub-

sequent period. These charters prescribed the mutual rights of the colonists and the crown : usually extending to the former the English laws, and empowering the crown to rule over the people and exercise its authority through a governor and council of his own appointment.

It is true, indeed, that different colonies were differently situated in respect to the government of Great Britain ; some having more privileges than others. Some of them were indeed mere provinces, and having no charter, or their charters being taken away, were completely subject to the government of England ; while others had a right by their charters to elect representatives among themselves, who should constitute an assembly, which, in conjunction with the governor and council appointed by the king, could make laws for the colony, not incompatible with those of England. We here see the beginning of that form of government established by the colonies when they became independent states.

Hitherto, we must remark that the thirteen colonies were dependents of Great Britain ; and most of them were deprived of some privileges which belonged to Englishmen, by the very terms and conditions of their charters. The colonists were, from the beginning, and of necessity, but little more than slaves, so far as their political condition was concerned.

But even the hard conditions of these charters were often violated by the home government, and tyranny was added to injustice. This, doubtless, arose more from the position of the colonies than from any intrinsic tyranny in the government. In the first place, colonies are always regarded as in-

stituted for the benefit of the mother country, rather than for the colonists themselves; and it is apt to be an habitual train of thought, that they are to be managed with an exclusive or primary reference to the good of the mother country.

Beside, colonies demand large expenditures for their government and protection, and it is deemed right that they should be made to pay liberally for these: they are also distant, and if they suffer grievances it is difficult for those who are entrenched in power, to be reached by remonstrance or petition. Add to this, that it is usually for the interest of the agents of the government to misrepresent the people they govern, so that they may extort power from their employers and plunder the people by authority.

Under these circumstances, it is not strange that the people of the colonies suffered greatly from the oppressions of the home government. They however flourished. Their numbers increased, as well by natural progress as by emigration. A large portion of those who first emigrated were well educated, and these laid the foundation for general education. The lands became the property of those who cultivated them; and thus a deep interest in promoting the real prosperity of the country was established in the numerous owners of the soil.

The oppressions of the British government had been submitted to by feeble colonists, when they could not help themselves; but they had at length become strong, and began to feel that by union they could resist with effect. At last, roused by new encroachments on their rights, they threw off their allegiance, and on the 4th of July, 1776, declared themselves free, sovereign, and independent.

CHAPTER XLVIII.

Revolutionary Government of the United States.

IN the war of the Revolution, thirteen colonies united. Let us look at the means by which that union was sustained during a period of eight years, and in a severe and trying conflict: or, in other words, let us see what was that government under which the colonies carried on the revolutionary struggle to a successful issue.

In 1774, Massachusetts recommended the assembling of a continental Congress at Philadelphia, to consist of delegates from all the colonies, to deliberate upon the common good, and to devise suitable plans of operation for the exigency of the times.

Delegates were accordingly chosen in the various colonies, some by the legislatures and some by conventions of the people. These delegates met at Philadelphia on the 20th September, 1774, and, constituting the first great national Congress, furnished an example which afterwards resulted in our federal government.

This body proceeded to adopt certain rules, one of the most important of which was, that each colony should have but one vote, and this rule was observed throughout the revolution. The delegates adopted such measures as they deemed necessary, and recommended another Congress. This assembled in May, 1775, and resolving upon war, adopted the famous Declaration of Independence* on the 4th of July, 1776. This declaration was unanimously accepted by the American people,

* See this admirable document, in the Appendix of this work.

and thenceforward, separation from the government of Great Britain, and national independence, were the open and avowed objects of the revolutionary struggle. To carry out this plan, Congress recommended it to the several colonies to organize state governments, which was accordingly done, and from this time the delegates to Congress were appointed by the state legislatures.

The continental Congress, thus organized by a voluntary union of the states, and delegates being successively appointed from time to time, continued to be the government of the nation until near the close of the war, when certain *articles of confederation* were adopted. During this period, they assumed and exercised all necessary powers, acting indeed without limit or restraint. There was then no constitution to define their powers. They made war and peace; raised armies and equipped navies; formed treaties and alliances; contracted debts, and exercised all the high functions of government.

It must be admitted that this Congress therefore possessed and exercised an arbitrary and despotic power; but it must be considered, that it was a revolutionary government, entrusted with the management of affairs during an emergency; and farther, that the acts of this government were sustained by the people.

It was obvious, however, that this arrangement was only temporary, for as soon as one of the states should withdraw, the union would be dissolved. After providing for the exigencies of the war, Congress, therefore, directed their attention to the formation of a system, which should give permanency to a union of the states.

CHAPTER XLIX.

The Confederation.

AFTER various discussions, Congress finally agreed, in Nov. 1777, upon certain *Articles of Confederation*, which were sent to the states for their consideration. Various delays and objections arose, and it was not till March, 1781, that Maryland, the last state, gave her assent.

Scarcely had these articles of confederation been adopted, before the defects of the system were discovered. Among the most formidable was this, that while Congress had power to adopt various measures, it had no effectual means of carrying them into effect.

An eminent statesman thus expressed himself on this subject: “Congress may make and conclude treaties, but can only recommend the observance of them; they may appoint ambassadors, but they cannot defray their expenses. They may borrow money, but they cannot pay a dollar. They may coin money, but they cannot import an ounce of bullion. They may make war, and determine what number of troops are necessary, but they cannot raise a single soldier. *In short, they may declare everything, but can do nothing.*”

Thus it seems that Congress had no power to compel the states to an observance of their acts. The states might obey or disobey, as they pleased; and, in point of fact, many of the acts of Congress under the confederation, were totally unobserved.

Nor had Congress any power to punish individuals for any breach of their laws; nor could they

lay taxes, nor collect revenue: nor could they regulate commerce: and, consequently, the most opposite systems of trade with foreign countries existed in the different states.

These and other evils became so apparent, that the necessity of change was obvious to all: yet it was with great difficulty that the states could be induced to adopt the necessary means for an adequate remedy. [See Appendix.]

CHAPTER L.

Origin of the Constitution.

In 1786, the legislature of Virginia recommended a convention of commissioners from all the states, to take into consideration the state of trade. In compliance with this suggestion, commissioners from five states met at Annapolis, in Maryland, in September, 1784. These adopted a report, recommending it to Congress to call a convention of delegates from all the states, at Philadelphia, in May, 1787.

Congress adopted this recommendation, and a convention was held accordingly, all the states, except Rhode Island, sending delegates to this body. On the 17th September, 1787, the present Constitution of the United States was adopted and sent forth to the people for their consideration. It was ratified by all the states except North Carolina and Rhode Island, and went into operation in 1789.

North Carolina adopted the Constitution in 1789, and Rhode Island in 1790. Thus all the thirteen

states became parties to the Union : and the other thirteen have since voluntarily come into the compact. It now becomes a matter of interest and duty, with every American citizen, to study this instrument carefully, that he may fully and clearly understand that national government, to which he looks for the security of many of his dearest rights.

CHAPTER LI.

Preliminary Remarks on the Constitution.

BEFORE we proceed further, it may be well to apprise the young reader of the complicated nature of our government. In Great Britain, France, &c., the system is simple, and easily understood. The laws of the British Parliament operate over the whole of England, Ireland and Scotland, and there is no interfering power to check or limit their force. The laws of the French legislature, in like manner, operate over the whole of France.

But here we have twenty-six states, each being a separate and complete republic, with all the machinery of government within itself. The Constitution of the United States is therefore only a contract or agreement between these states, in which it is stipulated that they all give up to the *national government* certain rights and powers, as set forth in that instrument. All rights and powers not expressly granted to the national government, are reserved to the states.

The chief powers granted to the national government, are the making of war and peace; regulating commerce; coining moneys; establishing post-offices; imposing taxes, and laying duties

upon foreign merchandise; borrowing money on the credit of the United States, &c. These powers being granted to Congress, the states cannot exercise them.

The Constitution,* with Explanatory Remarks.

 In this Chapter, the Constitution is printed in Italic.

P R E A M B L E .

We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.

The first object of the Constitution, as set forth in the preamble, is "*to form a more perfect union.*" The necessity of a union of the states, more perfect than had before existed, had been taught by experience. How could separate states protect themselves from the aggressions of foreign foes? How could small states sustain themselves against large ones—as Rhode Island against New York? For these and many other considerations, a more perfect union was necessary; and as this is obtained by the Constitution, we ought to cherish it as one of the most essential blessings of our social condition.

* It has been objected to the Constitution that it was not preceded by a "Bill of Rights," as is the fact with most of the state constitutions. The Declaration of Independence, and the Declaration of Rights by Congress in 1791, may be regarded as setting forth the great principles of liberty, sustained in the Constitution (See Appendix.)

The second object is to "*establish justice.*" To establish justice, is indeed the great object of all good government. Without justice there can be no true freedom, no secure enjoyment of our rights. But how can the Constitution of the United States aid in the establishment of justice? Do not the state courts secure this? Not in all cases. Foreigners could not be secure of justice in the individual states; nor could the citizens of one state be secure in another. Experience had taught this, and therefore it became a leading object, in the formation of the Constitution, to establish justice on a broad and liberal basis, so that all who came within the scope of our government might find shelter and protection.

The next object is "*to ensure domestic tranquillity;*" that is, to ensure the states against the intrigues of foreign nations; against domestic jealousy and commercial rivalry; against disputes and dissensions of all kinds; against factions and insurrections. These are objects of the highest consideration, and the necessity of providing some means of averting such evils, had been shown by the bitter lessons of history.

The next object is "*to provide for the common defence.*" It has been often remarked, that to ensure peace we must be prepared for war. It was therefore indispensable that the general government should have power to levy armies, sustain a navy, erect fortifications, &c. How could these things be done, except by placing them in the charge of the national government? The separate states could not carry on war against foreign nations, for any one would be borne down in the contest. The only effectual mode of pro-

viding for the *common defence*, was to give up the whole matter to the management of the national government.

The next object is "*to promote the general welfare.*" It might be thought that the separate state governments could do this; but they have in fact neither the means nor the power. They have not the resources; for they cannot conveniently raise the money to carry on war, to support navies, to sustain fortifications and garrisons. Nor have the separate states the means of enforcing upon each other that harmony of action, which is indispensable, in order to promote the general welfare. A particular state must look after the particular interests of its people: it is only by a general government that the general welfare can be secured.

The last object of the Constitution, as set forth in the preamble is, "*to secure the blessings of liberty to us and our posterity.*" In another part of this work I have endeavored to set forth the nature of liberty, and the necessity of it to the enjoyment of life. To obtain its blessings, was the great object of the war of the revolution; to perpetuate its blessings, is the great design of the Constitution; to diffuse its blessings, should be the desire of every American citizen.

We should, however, always bear in mind what is meant by liberty—civil liberty—that liberty which is compatible with law. True liberty does not give us perfect freedom; it only allows us to do, to think, to feel, as we please, so far, and so far only, as we do not injure others. We can best show our love of liberty, by observing the laws, sustaining good government, and doing jus-

tice to our fellow-men. Justice is liberty; injustice is tyranny.

The Constitution consists of seven articles, and thirteen amendments. The first article relates to Congress, to which it assigns all *Legislative power*: the second relates to the President, and vests in him the *Executive power*: the third relates to the *Judiciary*, and vests in this the *Judicial power*. It will therefore be perceived, that here is a distribution of the several powers of government, as I have before stated.

ARTICLE I.

SEC. I.—*All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.*

Here it will be seen that the legislative power is wholly vested in Congress, which is to consist of a Senate and House of Representatives.

SEC. II.—1. *The House of Representatives shall be composed of members chosen every second year, by the people of the several states; and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.*

We here notice that the representatives are to be chosen by the people, the object being to obtain such persons as will represent, or express, the views and wishes of the people. Here lies the great principle of our liberty. In voting for our representatives, we express our wishes as to the measures we desire to see adopted by the national legislature.

2. *No person shall be a representative who shall not have attained the age of twenty-five years, and been seven*

years a citizen of the United States, and who shall not, when elected, be an inhabitant of the state in which he shall be chosen.

This refers to the qualifications of a representative. He must be twenty-five years old, so as to ensure maturity of mind and a degree of experience; he must be a citizen of the United States, for we could not trust foreigners to make our laws; and he must live in the state he is to represent, else how can he know the interests, wants, and wishes of the people?

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative: and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia, three.

This lays down a principle, by which we may decide how many representatives a state shall have; and when direct taxes are laid, how much each state shall pay. It provides for taking a

census every two years, and when the population of each state is thus ascertained, Congress is to say how the representatives shall be apportioned.

In 1842, a distribution act was passed, declaring that every state should have one representative for every seventy thousand six hundred and eighty inhabitants; and that in each case, where, after dividing the inhabitants by this number, a fraction of over one half of the seventy thousand six hundred and eighty remained, one representative should be allowed for that fraction. Accordingly, the following is the number of representatives to which the several states are entitled:

Maine	7	South Carolina	7
New Hampshire	4	Georgia	8
Massachusetts	10	Alabama	7
Rhode Island	2	Louisiana	4
Connecticut	4	Mississippi	4
Vermont	4	Tennessee	11
New York	34	Kentucky	10
New Jersey	5	Ohio	21
Pennsylvania	28	Indiana	10
Delaware	1	Illinois	7
Maryland	6	Missouri	5
Virginia	15	Arkansas	1
North Carolina	9	Michigan	3

It will be observed that, in the preceding section, persons "bound to service for a term of years," are spoken of: by which is meant apprentices, and other persons, chiefly foreigners, who had bound themselves to service for a series of years, generally with a view to pay their passage.

We observe, also, in this section, the phrase "*all other persons.*" By these are meant slaves; and

it will be perceived, therefore, that *three fifths of the slaves* of the southern states, although they do not vote, and are held as property, are still counted as forming a basis of representation in Congress.

Thus, by the late census, South Carolina, has two hundred and sixty-seven thousand three hundred and sixty free inhabitants, and three hundred and twenty-seven thousand and thirty-eight slaves. In fixing the apportionment of representatives, three fifths of these slaves, one hundred and ninety-six thousand two hundred and twenty-three, are added to the whole population, making four hundred and sixty-three thousand five hundred and eighty-three:—this is divided by seventy thousand six hundred and eighty, and accordingly South Carolina would be entitled to six representatives; but as there is a fraction of thirty-nine thousand five hundred and three, she is entitled to another, making seven representatives.

4. *When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.*

5. *The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.*

By the power of impeachment here is meant the right to make a written accusation against the president, or any other high officer of government, for the purpose of bringing him to trial. This trial must take place before the Senate of the United States.

An instance of impeachment took place in 1805, against Samuel Chase, one of the judges of the

Supreme Court of the United States, for misdemeanor, in the trial of John Fries for treason. He was, however, acquitted.

SEC. III.—1. *The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.*

Here we observe, that senators are chosen, not by the people, but by the legislatures of the states; they are not chosen for two years, but for six; they are not apportioned according to population; but each state has two.

It may be asked why two houses are needed in the legislature, and the answer is this: that one house might be careless or hasty; they might combine together for some bad object, and pass bad laws. By dividing the legislature into two bodies, and making it necessary that every law shall be adopted by a majority of each, one becomes a check upon the other. In this way, we are more secure of obtaining cool, careful and patriotic legislation.

It will be seen that the members of the Senate being elected for six years, and the representatives for but two, the former is the more stable and permanent body, while the latter is the more perfect expression of the will of the people.

2. *Immediately after they shall be assembled, in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year; so that one-third may be chosen*

every second year ; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

It will be remarked that provision is here made for gradually changing the whole body of the Senate. Thus, while a large portion are retained, for several years, so as to have many experienced persons among them, they may be entirely changed every six years, so as to prevent their combining together for any sinister purposes.

3. *No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.*

4. *The vice-president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.*

5. *The Senate shall choose their other officers, and also a president pro tempore, in the absence of the vice-president, or when he shall exercise the office of president of the United States.*

6. *The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried the chief justice shall preside ; and no person shall be convicted without the concurrence of two-thirds of the members present.*

7. *Judgment, in cases of impeachment, shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States ; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law.*

SECT. IV.—1. *The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.*

2. *The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.*

SECT. V.—1. *Each house shall be judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.*

2. *Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.*

3. *Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present be entered on the journal.*

4. *Neither house, during the session of Congress, shall without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.*

SECT. VI.—1. *The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest, during their attendance at the session of their respective houses, and in going to and returning from the same; and for*

any speech or debate in either house, they shall not be questioned in any other place.

The importance of having a member of Congress free from arrest, during the session, is obvious; for if he could be arrested, he might be kept away, when his single vote would decide the most momentous questions. It is important, too, that members should be permitted to speak freely, without fear of consequences, else they might be overawed, and truths, essential to the public welfare, might be suppressed.

2. *No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.*

The propriety of these restrictions is obvious; for if a senator or representative could hold an office under the general government, they might thus be effectually bribed by the Executive: and if they could be appointed to offices created, or the emoluments of which were increased during their term, they might legislate with a corrupt view to the obtaining of such places for themselves.

SEC. VII.—1. *All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.*

As the people pay the taxes,* it is a wise and just provision that all bills which are designed to raise money from the people, for the support of government, should originate with the popular branch of

the legislative body, and which is understood, more particularly, to represent the people.

2. Every bill, which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the president of the United States: if he approves, he shall sign it; but if not, he shall return it with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case, it shall not be a law.

This passage gives the president the power to stop the passage of any bill passed by both houses, by sending it back to the house in which it originated, with his objections. This is called a *veto*, which is a Latin word signifying *I prohibit*. The king of England has a veto power, but it has not been resorted to in modern times. The king of France had also a veto power, but when he used it, during the revolution, it created a resentment which hurled him from the throne. The veto belongs to several European governments

This power has been frequently used of late, by the presidents of the United States. If a president vetoes a bill, it still becomes a law, if two thirds of both houses of Congress vote for it, after its return. A bill becomes a law without the signature of the president, if he does not return it in ten days, Sundays excepted.

3. *Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment,) shall be presented to the president of the United States; and, before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.*

SECT. VIII.—*The Congress shall have power—*

1. *To lay and collect taxes, duties, imposts, and excises; to pay the debts, and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States:*

2. *To borrow money on the credit of the United States:*

3. *To regulate commerce with foreign nations, and among the several states, and with the Indian tribes:*

4. *To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States:*

5. *To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:*

6. *To provide for the punishment of counterfeiting the securities and current coin of the United States:*

7. *To establish post-offices and post-roads:*

8. *To promote the progress of science and useful arts by securing, for limited times, to authors and inventors,*

the exclusive right to their respective writings and discoveries :

9. *To constitute tribunals inferior to the Supreme Court : to define and punish piracies and felonies committed on the high seas, and offences against the law of nations :*

10. *To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.*

11. *To raise and support armies ; but no appropriation of money to that use shall be for a longer term than two years :*

12. *To provide and maintain a navy :*

13. *To make rules for the government and regulation of the land and naval forces :*

14. *To provide for calling forth the militia to execute the laws of the Union, to suppress insurrections, and repel invasions :*

15. *To provide for organizing, arming, and disciplining the militia, and for governing such parts of them as may be employed in the service of the United States ; reserving to the states respectively the appointment of the officers, and the authority of training the militia, according to the discipline prescribed by Congress.*

16. *To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings — And,*

17. *To make all laws which shall be necessary and proper, for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.*

This important paragraph prescribes the powers of Congress. In the first place it authorizes them to "*lay and collect taxes, duties, imposts, and excises.*" *Taxes* are laid upon property, as houses, lands, income, &c. *Duties or imposts* are levied upon foreign goods, imported into the country. To secure and collect these, custom houses are established, where vessels are obliged to be entered, and where a careful examination of the goods takes place, so as to see that the duties are properly laid and levied.

The chief revenue of the government of the United States is derived from duties laid on foreign goods: there has been a resort to direct taxation, only during war, or in anticipation of it. The separate states generally derive their revenues from direct taxes on houses, lands, money, stocks, and sometimes upon a man's income.

As the government needs money for its support, it is the duty of every one cheerfully to pay his taxes, provided they are properly assessed; but as taxes are a burthen upon the labor of a country, a wise people will endeavor always to see that they are as light as possible, whether levied in the shape of direct taxes or duties upon imported goods.

Congress may "*regulate commerce with foreign nations, and among the several states, and with the Indian tribes.*" These few words convey a vast trust. It takes from the several states, the power of regulating trade and commercial intercourse, and gives it up wholly to Congress.

It gives to Congress the control of trade and navigation with the states—such as the coasting trade and fisheries; the government of seamen

on board American ships; the enacting of pilot laws, quarantine laws, and laws respecting wrecks at sea, &c. It gives the power of laying embargoes, building light-houses, placing of buoys and beacons; removal of obstructions in rivers and bays, &c.

The other powers conferred on Congress are so clearly stated as hardly to need exposition. It may be well, however, to say that the power "*to exercise exclusive legislation over such district (not exceeding ten miles square) as may become the seat of government of the United States,*" has relation to the District of Columbia. When the Constitution first went into operation, New York, and afterwards Philadelphia, was the seat of the general government.

But it appears that when the Constitution was adopted, it was had in contemplation to remove to some other district; and therefore this provisional article was introduced. The District of Columbia, which is now under the government of Congress, (Washington having become the seat of government in 1800,) is ten miles square, and was ceded to the United States by Virginia and Maryland, to which it belonged.

SECT. IX.—1. *The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.*

As the "*power of regulating commerce,*" given to Congress, was understood to enable that body to prohibit the foreign slave trade, this article was in-

troduced to prevent such an act, before the year 1808. As soon as this restriction was at an end, Congress proceeded to abolish the foreign slave trade, thus affording the first example of its interdiction in modern times.

2. *The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.*

“*Habeas corpus*” is a kind of writ, known to the common law, and is used when a person is imprisoned, to ascertain whether the imprisonment is lawful or not. In despotic and ill-governed countries, it often happens that a person is taken up and put in prison, where he may lie for months or years without a trial, and as the case may be, without any sufficient cause. This writ of “*habeas corpus*” enables the person imprisoned to have the body (*habeas corpus*, meaning, *have the body*) brought before the judge, and if the cause is insufficient, he is set at liberty. This writ of *habeas corpus* is therefore a great safeguard to personal liberty, and its preservation is a matter of the greatest importance.

3. *No bill of attainder, or ex post facto law, shall be passed.*

A “*bill of attainder*” is an act passed by the legislature, convicting a person of some crime, and inflicting the punishment of death, without trial. It is a power in which the greatest tyranny has been exercised in foreign countries, and its prohibition is, therefore, in the highest degree, proper.

An “*ex post facto*” law is one which is passed after the act is done; it is a law which operates upon the past, and generally applies to public offences. If Congress could pass an *ex post facto*

law, they could make any acts criminal which have heretofore been lawful, and thus inflict the greatest cruelty and injustice.

4. *No capitation, or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.*

5. *No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue, to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.*

6. *No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.*

These restrictions upon the disbursement of public moneys, and regulations respecting the public accounts, are indispensable, in order to prevent the misapplication of funds, and to make all public officers feel that their conduct, in these matters, must undergo a careful scrutiny. If it were not for this first provision, the president of the United States would have no check upon the expenditures of public money. This stipulation renders him, in respect to money, dependent upon the people's representatives.

7. *No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them, shall, without the consent of Congress, accept of any present, emolument, office or title, of any kind whatever, from any king, prince, or foreign state.*

This passage prohibits titles of nobility, which lay a foundation for unequal ranks and privi-

leges; and prohibits public officers from receiving presents from foreign powers, by which means, as history teaches us, so many persons have been bribed to betray their country.

SECT. X.—1. *No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money, emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.*

2. *No state shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No state shall, without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.*

This important section lays various restrictions upon the states. The “*bills of credit*” referred to were a well known denomination of paper money, issued by the colonies before the revolution, and at a later period by the states. As there were no sufficient funds to meet them, they depreciated, so that sometimes a thousand dollars in paper passed for one of silver. The evils that flowed from this source were of the most aggravated kind; and therefore we see the wisdom of providing against this fruitful cause of mischief.

ARTICLE II.

We shall see that this article relates to the *Executive* branch of the government.

SECT. I.—1. *The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows:*

2. *Each state shall appoint, in such a manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.*

[A paragraph is heré cancelled, Article XII. of the Amendments being substituted for it, which see.]

4. *The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.*

5. *No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.*

6. *In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declar-*

ing what officer shall then act as President; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

No President has died while in office, except Harrison. He took the oath of office March 4, 1841, and died in a month after. John Tyler, then Vice-President, succeeded to the office of President, assuming all the powers and functions of the station, as if he had been directly elected President.

7. *The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive, within that period, any other emolument from the United States, or any of them.*

8. *Before he enter on the execution of his office, he shall take the following oath or affirmation:*

9. *"I do solemnly swear [or affirm] that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."*

The salary of the president is fixed at twenty-five thousand dollars a year, as before stated.

SECT. II.—1. *The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion in writing of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.*

2. *He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur; and he shall nom-*

inate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers as they think proper in the president alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

The power of appointing or nominating to office, is one of the greatest means of influence possessed by the executive. The number of persons in the employ of the general government is many thousands: it is said there are nearly ten thousand postmasters, alone. It is obvious that the individual who has in his control so many places of trust and emolument, has a patronage which he may exert to his own political advantage, if he so chooses.

It must be considered, however, that there is always a tide of opposition, created by those *out* of office, against those who are *in*; so that it seems necessary that an administration should possess some means of resisting this outward force. The patronage of the government is therefore perhaps no more than a necessary and proper power, by which the government resists the shock of opposition. It is only when corruptly used that it is to be feared.

SECT. III.—1. *He shall from time to time give Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge ne-*

cessary and expedient ; he may, on extraordinary occasions, convene both houses, or either of them ; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper ; he shall receive ambassadors and other public ministers ; he shall take care that the laws be faithfully executed ; and shall commission all the officers of the United States.

When Congress come together, the president sends them a message, in compliance with this section, setting forth his views of public affairs : and from time to time, he sends them special messages, relating to such topics as he deems worthy of special attention.

SECT. IV.—1. *The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.*

ARTICLE III.

This article relates to the *Courts, or Judiciary, of the United States.*

SECT. I.—*The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.*

SECT. II.—1. *The judicial power shall extend to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority ; to all cases affecting ambassadors, other public ministers, and consuls ; to all*

cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state claiming lands under grants of different states; and between a state or the citizens thereof, and foreign states, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

By "original jurisdiction," it is meant that the suit may be brought at once before the United States court; by "appellate jurisdiction," it is meant that cases begun in the state courts may be brought, by *appeal*, before the United States court.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Two important points are here secured; the "*trial by jury*" in criminal cases; and *a trial in the state where the crime is said to be committed*.

We have already spoken of the trial by jury, as originating in England, and being one of the rights secured by *Magna Charta*. Its design is to obtain a trial by one's "*peers*" or equals; and not to be tried by a class of persons who are likely to feel no sympathy with the accused. It is esteemed one of the great bulwarks of human liberty.

SECT. III.—1. *Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.* No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. *The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.*

In England, treason is defined to be any overt act which has for its tendency or object the death of the king. Levying war against the king; writings which import his death; rebellion; inciting foreigners to invade the kingdom; openly adhering to the king's enemies, are all acts of treason.

The Constitution defines acts of treason against the United States, “to consist in levying war against them, or in adhering to their enemies, giving them aid and comfort.” Treason is generally deemed the highest crime against civil society, and its aim being to overthrow the government, it is apt to excite the fiercest resentment of the community. History furnishes abundant evidence of this, especially in England, where the existing law in respect to this crime, still punishes the offender by drawing him on a hurdle to the place of execution: he is then hanged, his head cut off, and his body divided into four quarters. The king, however, may dispense with these savage accessories to the execution.

So many persons have, in former times, been arrested and executed on vague charges of treason, that it became important to define it very carefully, and to require adequate evidence of the fact. If it

were not clearly defined, or if precise testimony were not required, it would be easy for judges, under the influence of the government, or incited by corrupt and selfish motives, to make treason of inferior crimes, and the natural jealousy of the community might bear them out. Congress, having the power to fix the punishment of treason, have enacted that it shall be by hanging, without the horrid accompaniments adopted in other countries.

The clause may need explanation, which says "*but no attainer of treason, shall work corruption of blood, or forfeiture, except during the life of the person attainted.*" Attainder, in its original feudal sense, was a fiction of the law, tainting and corrupting the blood, and descending to several generations, so as to disqualify them from holding property. A person attainted of treason, that is, accused and convicted of treason, in England, not only forfeited his estate, but he was held incapable of having legal heirs, and his property reverted to the king.

As great tyranny and injustice had often been inflicted by attainders, in England, our wise fathers here provided that no attainer or conviction of treason, should work corruption of blood; that is affect the right of holding property, beyond the criminal himself.

There have been several trials in the United States for treason: but one of the most celebrated cases was that of Aaron Burr, a lawyer of New York, of great ability, and elected Vice-President of the United States in 1801. Having fought a duel and killed his antagonist, the famous Alexander Hamilton, he became a desperate man, and en-

gaged in certain schemes for seizing upon New Orleans and portions of the adjacent country then belonging to Spain, and founding an empire there.

He proceeded in the prosecution of his plans, and had already involved various individuals in them, when he was arrested and brought to trial before the Supreme Court of the United States, at Washington. This took place in 1806. The trial was one of the most interesting that has ever occurred in the country.

It was on this occasion that William Wirt, the attorney for the United States, made the famous plea, in which he describes so beautifully the arrival of Burr in the enchanting island of Blannerhasset—where he converts an earthly paradise into a scene of misery, as the serpent of Eden made that blissful garden the scene of our first parents' fall.

Though there could be no doubt of the criminal intentions of Burr, the proof of any *overt act* of treason was wanting, and he was acquitted. He soon after left this country, a disgraced and despised man. In his old age he returned, and living obscurely in New York for a few years, he died in 1837, a melancholy witness to the fact, that great talents only injure the possessor and mankind, if not regulated by moral principle.

ARTICLE IV.

SECT. I.—*Full faith and credit shall be given, in each state, to the public acts, records, and judicial proceedings of every other state: and the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.*

SECT. II.—1. *The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states.*

2. *A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.*

3. *No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up, on claim of the party to whom such service or labor may be due.*

By “*person held to service*,” is here meant a slave; and the provision is intended to enable the masters of slaves to recover them, if they escape into other states.

SECT. III.—1. *New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.*

2. *The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.*

By virtue of this last passage, our territorial governments have been established. Those existing at present, are Florida, Iowa, and Wisconsin. The basis of these territorial governments was laid in an admirable ordinance, framed by Nathan Dane, of Beverly, Massachusetts, and adopted by the Continental Congress in 1787.

This ordinance has been modified by Congress from time to time, to suit the varying condition of the territories. Each of them has now a governor, appointed by the president, and a legislature, consisting of representatives chosen by the people, who make laws, appoint magistrates, &c.

This legislature appoints one delegate to the House of Representatives at Washington, who may debate questions, but cannot vote. When a territory has a population equal to the number required by the apportionment of representatives among the states for one representative, it may, on adopting a republican form of government, be admitted into the Union, by act of Congress.

It is thus that several of the states, once having been under territorial government, have become members of the Union. Ohio was admitted in 1802; Indiana in 1816; Illinois in 1818; Mississippi in 1817; Alabama in 1819; Missouri in 1820; Michigan in 1836; Louisiana in 1812; Arkansas in 1836. All these were once subject to territorial government.

SECT. IV.—The United States shall guaranty to every state in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive, (when the legislature cannot be convened,) against domestic violence.

It was by virtue of this section that Rhode Island, in 1842, called upon the President for aid in suppressing the "Dorr Insurrection," which then took place.

ARTICLE V.

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this

Constitution; or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments; which, in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: provided, that no amendment which may be made prior to the year one thousand eight hundred and eight, shall, in any manner, affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

It is by virtue of this provision, that several amendments to the Constitution were adopted soon after its acceptance by the people. No amendments have been adopted for many years.

ARTICLE VI.

1. *All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States, under this Constitution, as under the confederation.*

2. *This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby; anything in the Constitution or laws of any state to the contrary notwithstanding.*

3. *The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this Constitution: but no religious test shall ever be required as a qualification to any office or public trust under the United States.*

The provision liere that "*no religious test shall ever be required as a qualification to any office,*" is designed to prevent the ascendancy of any religious sect, in the government, and the persecution of an individual for his religious opinions. In other countries, as England, France, &c., it has frequently happened that persons entertaining certain religious notions, have been entirely excluded from all offices of trust and profit. Until a very recent period, Catholics have been held ineligible to office in England; but this restriction is now removed.

ARTICLE VII.

The ratification of the conventions of nine states shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

It has been already stated that when the Constitution was presented to the people for their acceptance, it was immediately ratified by all the thirteen states, except North Carolina and Rhode Island. This made eleven states, two more than required by this provision.

Measures were taken in 1788 by Congress, as soon as it was ascertained that the requisite number of states had accepted the Constitution, to carry it into effect. An election was ordered, and Wednesday, the 18th of March, 1789, was the time appointed for commencing proceedings under the Constitution.

The members of Congress assembled accordingly at New York, then the seat of government, but a quorum for transacting business did not arrive till the 6th of April. On counting the votes for President, it was found that George Washing-

ton was unanimously elected President, and John Adams was elected Vice President.

Since that period, the following persons have held the office of President:

John Adams of Massachusetts,	1797 to 1801.
Thomas Jefferson of Virginia,	1801 to 1809.
James Madison of do.	1809 to 1817.
James Monroe of do.	1817 to 1825.
John Quincy Adams of Mass.	1825 to 1829.
Andrew Jackson of Tennessee,	1829 to 1837.
Martin Van Buren of New York,	1837 to 1841.
William Henry Harrison of Ohio,	1841
John Tyler of Virginia, (Vice President, succeeded to the presidency, on the death of Harrison,)	1841.

Articles in addition to and amendment of the Constitution.

ART. I.—*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances.*

This is a most important provision: it secures us against a “*union of church and state*,” which has been one of the great evils of foreign governments. When government has undertaken to establish a particular religion, it has patronised only those who adopted its creed, and it has always persecuted those who differed from it. Thus freedom

of religious opinion, or religious toleration, is incompatible with the union of church and state.

Even in England, where a church is established and supported by the government, those who do not belong to this church, are, however, taxed to support it. They are therefore compelled to aid in propagating and promoting a religious faith, which they believe to be erroneous. It is to prevent such tyranny, that the clause we are noticing, is introduced.

“*Freedom of speech*” and “*freedom of the press*,” are also among the most essential safeguards of liberty. If men may speak freely, and if they may freely publish their opinions, it is likely that the abuses of government will be exposed, and the people put on their guard against those who might plot their ruin.

Most governments of Europe, have, at various periods, put restraints upon the freedom of speech, and the freedom of the press; and even now, there are few foreign countries in which entire liberty is enjoyed in these respects. Despotism fears the truth; it shrinks from discussion; it therefore dreads freedom of speech and the press. But a free government, like ours, instituted by the people, and designed for the benefit of the people, can have no inducement, so long as it is administered according to its true intent, to hide the truth or interrupt discussion.

The right of the people, *peaceably to assemble*, in order to discuss public topics, and express their wishes upon public affairs, is a great right, and one that ought never to be impaired. It is by assemblies of the people, in masses, that rulers are made

to feel the people's power, and are taught the necessity of regarding their wishes.

The "*right of petition*" is essential to liberty. What more decided mark of humiliating slavery could be furnished, than a condition which deprives men of the right of laying their wants and wishes, their prayers and petitions, before their rulers? Seldom has any king, or despot, denied this right to his subjects. It is one of the most universal of human rights, and would exist, even if not secured by this provision of the Constitution.

The right to petition, carries with it an obligation on the part of the petitioned, to hear and consider the prayer. The mere right to pray, without being listened to, is mockery. As well might a petition be addressed to the stones or the trees, as to human beings, if there were no obligation to hear and consider the prayer. Congress are therefore bound to hear and consider every reasonable and respectful petition which is presented to them.

ART. II.—*A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.*

In some despotic countries, the people have been denied the privilege of having guns and other weapons in their possession, because the government feared the people, and therefore deemed it necessary to keep these means of warfare out of their hands. Our popular government can have no such fear.

ART. III.—*No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.*

The quartering of troops on the people, has been one of the common acts of tyranny inflicted by monarchical governments.

ART. IV.—*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

This provision is important, for it has frequently happened, in former times, that a despotic ruler has sent his officers into a man's house, and seized his papers; and these have been used to convict him of treason or other crimes. In order to the enjoyment of liberty; in order that every man may feel safe, it is indispensable that barriers against such acts of tyranny should be established.

ART.—V.—*No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor be deprived of life, liberty, or property, without due process of law; nor shall be compelled, in any criminal case, to be a witness against himself; nor shall private property be taken for public use, without just compensation.*

These provisions are essential, and we cannot too much commend the wisdom that established them; nor ought we to fail to rejoice that such safeguards to our liberty are provided. In reading the history of other countries, we shall see how much humanity has suffered for the want of such

provisions; and we shall have renewed occasion to love and cherish that Constitution which affords the weak, as well as the strong, such protection against the encroachments of power.

ART. VI.—*In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.*

In Article III., Section 2, the right of trial by jury, in criminal cases, is secured in the courts of the United States: here this privilege is more carefully guarded. The trial is to be speedy, so that the accused need not remain in prison, as has often been the case. The trial is also to take place in the district where the alleged crime was committed—for it would be unjust to take the criminal to a distant place for trial, where the means of evidence were not likely to be at hand.

He is also to be fully informed of the nature of the charge against him, so that he may have the opportunity of refuting it: he is to be confronted with the witnesses against him, so that he may question them; he is to have the power of compelling witnesses in his favor to appear; and is to have the assistance of counsel for his defence.

All these provisions show how careful is our admirable Constitution to guard the rights of the people: even a man charged with crimes of the deepest dye, is still to enjoy all the means that human wisdom can devise, to obtain his discharge if he be innocent.

ART. VII.—*In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.*

Here the trial by jury is secured, even in cases not criminal, and where property only is concerned: this extends merely to courts of the United States.

In England, “*common law*” means that law which is recognised by the courts, and founded in custom, and not upon any positive enactments of parliament. We have also our “*common law*,” founded in custom and common sense, and the settled practice of the English courts: yet not to be found in any acts of legislatures.

ART. VIII.—*Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*

Bail is setting a person, arrested or imprisoned, at liberty, on his giving security for his re-appearance. This security consists in a bond signed by responsible persons, in which they engage to pay a stipulated sum, if the person is not forthcoming at the specified time. In this amendment it is provided that the amount in the bail-bond shall be reasonable; for if excessive bail could be required, a person arrested, might, through the malice of parties, or the malevolence of officers, be wrongfully kept in prison.

ART. IX.—*The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.*

ART. X.—*The powers not delegated to the United States*

States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

This is a very significant provision ; it declares that all powers not given up to Congress, belong to the people of the several states.

ART. XI.—*The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state.*

ART. XII.—1. *The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves ; they shall name, in their ballots, the person voted for as President, and in distinct ballots the person voted for as Vice-President ; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the Senate ; the president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted : the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed ; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the vote shall be taken by states, the representation from each state having one vote : a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House*

of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death, or other constitutional disability, of the President.

2. *The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President: a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.*

3. *But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.*

In the Constitution as originally adopted, Sec. 1 of Article II. pointed out the mode of electing the President and Vice-President of the United States.

This passage was subsequently struck out, and the preceding amendment took its place. It is by the rule here laid down that these high officers of the government are now chosen.

In most cases, the presidents have been chosen by the electors selected by the people: but in some cases it has been otherwise. In 1825, there being no choice by the electors, John Quincy Adams, of Massachusetts, was chosen by the House of Representatives.

ART. XIII.—*If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.*

CHAPTER LII.

Review of the Constitution.

As the Constitution is the very foundation of our national government, we Americans cannot study it too much, or understand it too well. All citizens, especially, who have a right to vote, and who therefore use an influence for good or ill in giving character to the actual, practical government, or administration, that springs out of the Constitution, should know what it means; what it requires, and what it prohibits.

In the first place, we remark that this Constitution establishes a confederation or federation of states; hence it is called a *federal government*: that is, a league or union of several parties. It is a partnership, in which the several states, with the people thereof, are the parties, each having an interest, and taking a share, in the good or ill that may flow from the union.

It establishes a distribution of powers, as we have before stated, into three branches: *Legislative*, conferred on Congress; *Executive*, confided to the President; and *Judicial*, entrusted to the federal courts. It keeps these powers distinct, the design being to make one branch a check on the other, so as to prevent a dangerous degree of power from sliding into the hands of one man, or one set of men.

It makes Congress the source whence the laws proceed: it makes it the duty of the president to see that the laws are executed; it makes it the province of the judges to interpret and apply the laws; that is, to decide cases of dispute which arise under them.

The Constitution takes away from the individual states, and gives to the federal government, all power to make treaties; to carry on war against foreign nations; to have a standing army and a navy; to establish post-offices and post-roads; to establish navigation laws, custom-houses, lighthouses, and generally to regulate and control the great interests of commerce; to coin money; in short, to preside over those interests which affect the whole country, as a nation.

While the Constitution thus takes from the states and gives to the federal government, certain powers, it leaves the states in possession of all that is not thus *expressly* given away; it leaves the states, still, as independent republics, to carry on their several governments, and to manage all their affairs, as the people thereof may please, subject to no restraint, except what the Constitution imposes.

The Constitution, applying to the whole country, binds us together as a *nation*, of which a state is only a member. It is the Constitution, therefore, which is likely to form and fashion our national character: it is the national government, founded on this, which is chiefly regarded by foreign countries; for it is the federal government, only, which makes treaties and holds official intercourse with other nations.

The Constitution is the great bulwark of our liberties. Were it not for this, what would prevent two states from being involved in constant war? What would prevent a small state, like Rhode Island or Connecticut, from being oppressed by a powerful state, like New York? What would protect a citizen of one state, passing into another, from unjust taxation, imprisonment, or oppression, were it not for the Constitution?

From these considerations, it is clear, that every person in the United States has a deep interest in the Constitution, *which establishes a union of the states, for the good of all.* Every citizen, therefore, is bound by a regard to his own interest, and duty to his countrymen, to seek to perpetuate it; to obey its laws, to maintain its institutions, and to carry it into effect, according to the wise and patriotic intention of its framers.

CHAPTER LIII.

Congress.

THIS body, as before stated, is divided into two houses, the *Senate* and *House of Representatives*. They hold their sessions, separately, in two splendid rooms in the Capitol at Washington.

Senators are chosen for six years; there are two from each state; of course there are fifty-two members. A person cannot hold a seat in the Senate, who is under thirty years of age. Beside its legislative powers, the Senate have the privilege of ratifying or rejecting treaties made by the President, or persons nominated by him to office.

The members of the House of Representatives must be twenty-five years old: they are chosen, by the people of the states they represent, for two years. According to the present apportionment, which is seventy thousand six hundred and eighty inhabitants to one representative, the number of representatives is two hundred and twenty-seven.

The House of Representatives have the sole power of impeachment; but the person impeached must be tried by the Senate. The pay of the members of both branches of Congress is eight dollars a day, while at Washington, and twenty dollars, fees of travel, for every hundred miles.

CHAPTER LIV.

The Administration.

THE Constitution is but a series of rules or principles. To carry these into effect, officers must be appointed. Upon the character of these persons, the character of the government greatly depends: for as these are good or bad, the public affairs will be wisely or unwisely managed. A foolish man can hardly act otherwise than foolishly, however excellent may be the laws which he is called upon to administer.

However good our Constitution may be, therefore, we cannot expect good practical government, unless we put good men into office. Even a good tool will not cut well of itself: in the hands of a bungler, it will often do mischief. Our fathers, then, in giving us an admirable Constitution, left us only a good tool to work with, and we must take the responsibility of seeing that it passes into the hands only of those who are skilful and honest; those who *know* what is right, and those who *love* what is right.

The President of the United States is the chief officer of the government; we look upon him, accordingly, as especially called to administer the

Constitution. We, therefore, call the President, with his advisers, *the Administration*. Thus, as before remarked, we denominate Washington's period of government, *Washington's administration, &c.*

CHAPTER LV.

The President, &c.

THE President holds his office for four years, and has a salary of \$25,000 a year. He is commander-in-chief of the army, the navy, and the militia of the United States, when in actual service; he signs or vetoes bills passed by Congress; and receives ambassadors and other public ministers. He also, by and with the consent of the Senate, appoints the chief naval, military, and civil officers of the government, and signs their commissions.

In addition to all this, the President is charged with the general welfare of the country, and the execution of the laws; and he is required, from time to time, to lay before Congress his views of public affairs.

The Vice President is president of the Senate, with a salary of \$6,000 a year. In case of the death of the President, he succeeds to his office.

The President is assisted by several persons, who are his advisers. These consist of the Secretary of State, Secretaries of the Treasury, of the Navy, and of War; the Attorney-General, and the Postmaster-General.

All these persons live in Washington, near the

President, and are frequently called upon by him to furnish him information, and to offer him their counsel and assistance. They are generally selected from among the ablest men in the nation, and each one is supposed to be especially fitted, by his character and former pursuits, for the particular place assigned to him.

The President not only calls upon these persons separately for assistance, as occasion may require, but once or twice a week they all meet together at his house. When assembled, they form the *Cabinet*, and when met for consultation, they are called the *Cabinet Council*.

The cabinet being regarded as personal and confidential advisers of the President, are expected to entertain the same political opinions as the President himself, and are usually selected from the President's political party. In this case, as in the other, the President nominates the members of the cabinet, and the Senate of the United States, in secret session, confirm or reject them, as they please. If rejected, the President makes other nominations.

A large and responsible part of the duty of the President consists in his nomination of persons to office, including the secretaries, judges, ambassadors, charges, consuls, custom-house officers, naval and military officers, postmasters, land agents, and various other persons in the employ of the government. The number of officers he is called upon to nominate, amounts, as before stated, to many thousands.

In all cases, it is necessary that the Senate should confirm the nomination, or the person does not hold his place.

The secret sessions of the Senate, in which they discuss the nominations of the President, are called *Executive Sessions*, because they then attend to executive business. The characters of persons nominated, are freely discussed. Sometimes what takes place during the discussions, transpires, and sometimes it remains under the seal of secrecy.

The secretaries are in England called ministers. In that country, they have usually a seat in parliament, and take a leading part in the legislation of the country; but in the United States, the executive department is more completely separated from the legislative, and the *secretaries*, or *ministers*, or *members of the cabinet*, have no seat in either branch of Congress. The annual salaries of the secretaries are \$6,000 each.

CHAPTER LVI.

Secretary of State.

THE *Secretary of State* has an office near the President's house. This consists of a large edifice, containing many rooms, in which there are numerous clerks, all engaged in the business of the department. In these rooms, also, are deposited a library for the use of the department, and a multitude of papers and documents, which have accumulated for the last fifty years, belonging to the business of the office.

The main duty of the Secretary of State is to manage the negotiations of foreign countries; to give instructions to our foreign ambassadors, to

charges and consuls, and to answer their letters; to receive the communications of the various foreign ambassadors who reside at Washington, and to answer them as directed by the President.

Beside this, the Secretary of State is charged with the preparation of the census of the United States, a general supervision of the Patent Office, and keeping the evidence of copyrights. He also has charge of the federal seal, and preserves the originals of the laws and of treaties.

The Secretary of State in this country is generally considered as the highest officer in the cabinet; he takes the rank of what is called *Premier* in England and France. His duties are of the most important kind, requiring an intimate knowledge not only of our own, but of foreign countries. He not only is required to know the geographical position, the commerce, the resources, the character of foreign countries, but he must know the nature of their governments, the character and disposition of the king and ministers and leading men in each.

To this vast amount of knowledge, the secretary should add the greatest coolness and calmness of temper, and sagacity of mind. In managing affairs with the agents of foreign countries, called *diplomacy*, he must watch over every word and action, for peace and war depend upon his conduct. It has frequently happened, in the history of mankind, that an unlucky expression, or careless phrase, used by a Secretary of State, has involved powerful nations in all the horrors of war.

Several eminent statesmen have held this high office; as Thomas Jefferson, John Randolph, John Marshall and James Monroe, of Virginia;

John Pickering, John Quincy Adams, and Daniel Webster, of Massachusetts; Henry Clay of Kentucky; Edward Livingston, of Louisiana; and Martin Van Buren, of New York.

CHAPTER LVII.

Secretary of the Treasury.

THE *Treasury Department* is held in a large and handsome edifice, contiguous to the office of the Secretary of State. Here is a library, and a variety of subordinate offices, filled with books and papers. Here also is the office of the Treasurer, who has immediate charge of the public money; the *Comptroller*, who has the supervision of the public accounts; and several *Auditors*, whose duty it is to examine accounts. Beside these, there are in the department a multitude of clerks.

The Secretary of the Treasury presides over this whole department; the special duty assigned him is to watch over the money affairs of the government; to see to the collection of the revenue at the various custom houses and land offices; to see that the business is properly conducted at those places; to see to the disbursement of the public moneys, the payment of salaries, liquidation of contracts, &c.

His duty is also, to advise the President and Congress, as occasion may require, of the condition of the public finances: to look forward, and devise and recommend such plans, as may enable the government to raise the requisite amount of money, in the manner least burthensome to the people.

A Secretary of the Treasury should be a man of great arithmetical precision; familiar with the agriculture, trade, commerce, and manufactures of the country, and with their products; he should understand foreign commerce; whence various articles come; where they are produced, and whether they can advantageously be produced here or not.

It has been already stated that the money wanted by the government, is chiefly derived from duties laid on foreign goods and merchandises. These duties are in two forms—*specific* and *ad valorem*.

A *specific duty* is that which imposes a specific tax on a specific article; as three cents on a pound of cotton; one cent on a pound of iron; four cents on a pound of coffee.

An *ad valorem* duty is a tax *according to value*, as twenty per cent. on the cost or valuation of articles. When the duty is so much on the *cost*, then it is rated on the invoice: when it is according to valuation, appraisers belonging to the custom-house, appraise the goods, and the twenty per cent. is received on the amount of the appraisal.

All this business of collecting the duties is managed at the custom-houses. At the head of each custom-house is a *collector*, and under him, a *surveyor of the port*, *naval officer*, *inspectors*, *measurers*, *appraisers*, and a multitude of clerks. About five hundred persons are attached to the custom house at New York; and near a hundred to that at Boston.

When a vessel arrives at a port of the United States, she is entered by the captain on the books of the custom-house, and taken in charge, with her whole cargo, by the officers thereof—appointed to their several specific duties. An account is

taken of her cargo, and the duties fixed by law must be paid to the collector or his deputy. It is the money thus collected which forms the chief support of the government of the United States.

The watching over the several custom-houses of the country is a vast concern, and requires not only great capacity, and familiarity with financial affairs, but it also requires untiring industry, vigilance and care. Where there is money, there is danger of corruption. It is therefore indispensable that not only an honest but a sagacious man be at the head of the great money department of the government, so as to detect errors and punish fraud, and thus save the people from plunder.

There is another important thing to be considered, here. In laying duties upon foreign goods, we not only wish to collect revenues, but it is also thought by some politicians, to be the duty of the government to lay them in such a manner as to *protect* and *encourage* the industry of our own country. This can be done by laying duties on articles which we produce, such as butter, cheese, wool, beef, cotton cloths, woollen cloths, iron manufactures, &c.

If duties are laid on these articles as they come from foreign countries, they will either not be sent here at all, or the price of them will be raised, so as to give encouragement and protection to our own producers; it will drive away the foreign productions, or raise the price; thus giving the entire market, or a better market, to the productions of our home industry.

The rate of duties is called a *tariff*; and a *protective tariff* is such a rate of duties as is designed to *protect* and *encourage* our own producers; to

enable them to get higher prices than they would get otherwise. Labor is cheaper in England and France and Germany than in the United States; and if we do not tax the productions of that labor, as they come here, it is said that the wages of labor must here sink to nearly the European level.

Beside all this, it is thought desirable that we should have a variety of arts and trades among us, so that every person may find that employment which suits his taste and genius; so that all the various resources of the country, animal, vegetable, mineral, physical, social, and moral, may find development; and that we may produce within ourselves, all we want to eat, drink, wear, and use: thus to secure our independence in time of war, and when our ports may be blockaded.

For these various reasons, and others, it is claimed by some politicians, that we should adopt a *protective policy*, in laying duties; a policy, the purpose of which is to tax foreign articles which come in competition with our own products, and thus enable our producers to get higher prices than they would otherwise obtain. This policy was adopted in the outset of the government, under the Constitution, and has prevailed during the greater part of the time, since. It may be added, that a similar policy is adopted in all other civilized countries.

But there are statesmen among us who hold that this protection is partial; that it takes money out of the pockets of one class, and puts it into those of another. They maintain that if you put a tax on foreign cloths, you raise the price of the article here, and enable the manufacturer to get larger profits: and as the people at large must buy their

clothes, this higher price comes out of their purses and goes into those of the manufacturers. This they consider a tax upon the consumer for the benefit of the producer.

Those who hold these opinions, generally repudiate the protective system, and insist that *free trade* is the true policy of nations. They would raise no revenue from duties; they would have no custom-houses; they would let the ships of the world come, and buy and sell without restraint. To supply the expenses of government they would resort to direct taxation.

Some of these politicians insist, if we are not yet prepared for *free trade*, that still, the Constitution does not authorize taxation, or the laying of duties for any other purpose than revenue: that the rate should be, therefore, uniform; and consequently they advocate what is called a *horizontal* rate of duties, as twenty per cent., for instance, on the value of all imported articles; or at least that nothing shall range higher than this general scale.

These persons say that if manufacturers, or agriculturists derive *accidental* or *incidental protection* from this horizontal range of duties, it is all very well: but you must not lay a lighter or heavier duty, *with a view to protection*. They oppose, therefore, as unconstitutional, *discriminating duties*, or *protective duties*; that is, duties varied with a view to protection: the only protection they approve, is that which is accidental and undesigned, or, to use the common phrase, *incidental*. Every revenue act which is framed with a view to encourage the producers of the country, is deemed a trespass upon the Constitution.

We shall not undertake to decide between these two opposite schools—the friends of a *protective policy*, and the friends of *free trade*—further than to state a fact that ought not to be lost sight of, viz., that the former has generally prevailed from the foundation of the government, and, right or wrong, the state of things is adjusted to it.

Leaving this dispute to the politicians, we remark that the Secretary of the Treasury is called upon for a multiplicity of facts and views, which relate to the various questions that occur in Congress, touching finance, revenue, &c. It is indispensable, therefore, that he be a man of accuracy, and of minute as well as extensive information, upon financial matters.

The annual expenses of the government may be stated at about twenty-five millions of dollars. About twenty millions are obtained by customs. The other great source of revenue is the public lands.

These consist of vast tracts in the western country, amounting to a thousand millions of acres. The price at which they are sold, is one dollar and twenty-five cents the acre. The annual proceeds of the sales have varied from two to twenty millions. In 1841, a law was passed, giving the proceeds of these lands to the several states; but this policy is yet unsettled. The land office is attached to the treasury department.

In the treasury building is also an office devoted to the affairs of the Mint. This latter was established at Philadelphia, in 1792, and in 1835 a branch was established at New Orleans, for the coinage of gold and silver. There are branches also for the coining of gold at Charlotte, North

aggregate of the army is about eight thousand men, and the annual expense is about four millions of dollars.

CHAPTER LIX.

Secretary of the Navy.

THE Navy Department is near the President's house. The duties of the Secretary, are to take charge of the Navy; to see to the building of ships, their equipment, and their fitting out with men and stores; to see to the care of them while in *ordinary*, that is, laid up in port; to plan voyages and cruises; in short, to superintend the whole business of the Navy.

There are several *Navy Yards* in the United States, where vessels are built, refitted, and taken care of while in ordinary. These are vast establishments, and attended by great numbers of persons. The principal are at Washington, Philadelphia, Norfolk, and Charlestown, near Boston.

At Washington there is a board of Naval Commissioners, consisting of three officers of the navy, whose duty it is to see to the detail of constructing and employing the public vessels, under the superintendence of the Secretary.

The Navy, though on a small scale, acquired great reputation in the war with England of 1812, and it is now a favorite with the nation. The whole number of ships, sloops, and steam vessels, belonging to the United States, is about ninety. The whole number of persons employed in and about them is nearly ten thousand. The annual expense is about seven millions of dollars.

Carolina, and Dahlonega, in Georgia. These several branches are under the control of the director of the mint at Philadelphia. The records of these several establishments are kept in the appropriate office, in the Treasury Department.

CHAPTER LVIII.

Secretary of War.

THE *War Department* is an extensive building near the President's house, which contains various rooms, to accommodate the several officers attached to the establishment.

The Secretary of War has charge of the army, and of the forts and garrisons of the United States. He is also charged with Indian affairs; that is, the execution of treaties with the tribes of Indians along our western frontier.

He is charged with the providing of muskets, cannon, and other munitions of war, and their preservation in the different arsenals throughout the country. He is charged with the marching of troops to their destination; the providing and transporting of military stores, &c.

In time of peace the duties of this officer are extensive, but in time of war, they are in the highest degree arduous and responsible.

The army is under the command of a Major-General, who is styled the commander-in-chief, and who has his head-quarters at Washington. There are two divisions of the army, at the head of each of which is a Brigadier-General. The

CHAPTER LX.

Postmaster-General.

THE General Post Office is a new marble edifice at Washington, about half-way between the Capitol and the President's house. Here the Postmaster-General has his office. He is assisted by a deputy postmaster, and various other officers.

The number of post-offices in the United States is about fourteen thousand : the whole extent of all the post routes is about one hundred and fifty thousand miles ; the annual transportation of the mails is near thirty-five millions of miles. The annual income is about four millions of dollars ; and the expenditure nearly the same.

The President has the nomination of all postmasters whose income of office is over one thousand dollars a year : all others are appointed by the Postmaster-General. His salary is six thousand dollars.

CHAPTER LXI.

Attorney-General.

THE province of the Attorney-General is to advise the President in matters of law ; to manage cases in which the United States are interested before the United States court, &c. He resides at Washington, and has a salary of four thousand dollars.

Several eminent lawyers have held this high station ; among them William Pinckney and William Wirt, both of Maryland.

CHAPTER LXII.

Patent Office.

THE *Patent Office* is one of the finest edifices in the United States, and is situated near the General Post Office. Here models of new inventions are deposited, and the Superintendent issues *letters patent*, or *patent rights*, for new and useful inventions.

By virtue of these grants, the patentees are enabled to have the exclusive making and vending of their inventions for fourteen years. The object of this is to encourage useful improvements, by giving the profits thereof to the inventors for the stipulated period.

The models now lodged in the Patent Office are numerous, ingenious, and interesting, though many were destroyed in the Patent Office, burnt down a few years since. Those which exist, afford a pleasing evidence of the ingenuity of our countrymen. The whole number of patents issued since 1790, is over twelve thousand.

Beside these models, there are various articles of curiosity, belonging to the government of the United States; such as the uniform worn by Washington when he took leave of the army; various rich gifts presented by foreign princes; and a great collection of specimens in natural history, particularly ornithology, conchology, botany, &c.

The Patent Office is under the charge of a *Superintendent*, who is assisted by various draftsmen, clerks, and others. The whole establishment is subject to the supervision of the Secretary of State. It is one of the most interesting objects at the seat of government.

CHAPTER LXIII.

Judiciary.

THE Judiciary of the United States consists of a *Supreme Court*, nine *Circuit Courts*, and thirty *District Courts*. The judges are nominated by the President, and submitted for approval or rejection, to the Senate. They hold office during good behavior.

The Supreme Court is composed of a *chief justice* and eight *associate judges*, who hold a court every winter at Washington. Each of the judges also attends a certain circuit, comprising several districts. In each district he holds a Circuit Court at stated times, being assisted by a local judge, called a *district judge*. The *District Courts* are held by the district judges, alone.

All these circuit and district courts are inferior to the Supreme Court, and their decisions are liable to be overruled by it. The Supreme Court is the highest judicial tribunal in the country, and its decisions are final. It can even decide upon the acts of Congress, and declare them to be unconstitutional, and therefore void.

It will be remarked, however, that cases which arise under state laws, between citizens of the same state, cannot be brought before the United States Court. This court has *jurisdiction* (that is, the power of acting and judging) only in cases which arise under the laws of Congress, or between citizens of different states, and a few other cases. The state courts adjudge all cases between their own citizens.

In each district there is a *District Attorney*, whose duty it is to prosecute all offences against the laws of the United States; such, for instance, as *piracy*, which is robbery upon the high seas; or *smuggling goods*; that is, bringing them into the country with a view to avoid paying duties. The District Attorney also manages all cases in which the United States are a party.

In each district is a *Marshal*, who performs the duties of a sheriff; that is, he attends the court of the district, and executes the precepts directed to him. He keeps persons accused of crimes in custody, and when required, brings them before the court; he also executes sentence upon criminals, and in general, is the executive officer of the court.

Each district has a place where the court sits and where its records are kept; and here a clerk attends to the business of the office. It is in these offices that the titles of books are deposited, upon which authors desire to obtain copyright. The clerk issues certificates that such titles are deposited; and when his book is published, the author leaves a copy at the clerk's office; his *copyright* is then complete; and he only, and those whom he may authorize, have a right to print or publish it.

The salary of the chief justice is five thousand dollars a year: each of the associate judges has four thousand five hundred dollars; the district judges receive from one thousand to three thousand dollars a year.

Among the eminent men who have held the office of chief justice of the United States Court, are Oliver Ellsworth, of Connecticut, who died in 1807, and John Marshall, who died in 1838.

CHAPTER LXIV.

State Governments.

WE have now taken a brief view of the *national government*: that government which binds twenty-six separate states or republics, into one great *federal republic*. Let us now take a survey of the several states, which are at present twenty-six in number.

Each of the states has a written constitution; some of these were adopted during the revolutionary struggle, and have since been revised, remodeled or amended. Others have been made anew, at later periods. Rhode Island is the only state which retains its colonial charter. Efforts are now making in this state for the adoption of a new constitution, which are likely to prove successful.

Several of the state constitutions consist of two parts, first a *bill of rights*, setting forth certain abstract principles of government and law; and second, a *series of rules for the organization and administration of the government*.

All these constitutions prescribe a republican form of government; that is, a government in which the people choose certain officers to represent them, and act for them in public affairs.

In all the state constitutions, provision is made for keeping the three powers—legislative, executive, and judicial—distinct and separate.

In every state there is a Governor, and in most a Lieutenant Governor. The Governor constitutes the executive branch, being assisted in some cases by an executive council. He is generally the

commander-in-chief of the state militia; appoints and commissions various officers, and has a general superintendence of public affairs.

In most of the states the Governor is elected for a single year. In some instances, he is elected for a longer time, as in New York, North Carolina, Georgia, and some others, for two years; Pennsylvania, Virginia, Indiana, for three years; Delaware, Louisiana, Arkansas, for four years. None are elected for a longer term than the last period. In some states the Governor is elected by the legislature, but in most instances by the people.

In all cases the legislature consists of two branches, a House of Representatives and a Senate. No bill can become a law unless sanctioned by both houses. The Governor has also a veto in most cases.

The legislatures of the several states usually meet once a year. In some cases, however, their sessions are held but once in two years. The qualifications required for members of the legislature, are various. In a majority of states, citizenship, possession of a certain amount of real estate, and being over twenty-five years of age, are requisites.

The Judiciary of the several states consists of a superior court, and several inferior courts, arranged somewhat after the model of the United States' courts. The judges are generally appointed by the legislature, in some instances annually, in others for a term of years, and in others during good behavior.

All the states are divided into counties. In each county there is a court-house where courts are held, and where various records are kept. Each

court has a clerk to record its proceedings, and a sheriff or other officer to execute its precepts. There are also county and state prisons for the confinement of those who are under arrest, or who are convicted of crimes and misdemeanors.

CHAPTER LXV.

Punishments.

IN barbarous ages, especially in despotic countries, the punishments for offences against the state have always been numerous and cruel. Torture and death have been inflicted in thousands of cases, not only for such high offences as treason, robbery and murder, but for more trivial misdemeanors, and even for holding particular religious opinions, and those which are now regarded as right by a large part of the Christian world.

Even in England, where the criminal code has been softened with the progress of civilization, down to a recent period the laws made about two hundred offences *capital* crimes; that is, punishable with death. A change has very lately taken place, and the number of capital offences now known to the English law, are only thirteen, among which are the following:—

Treason; *murder*; *attempt to murder*, by administering poison; *attempt to murder*, by stabbing; *piracy*, attended by an attempt to murder; *robbery*, with an attempt to murder; *burglary*, (that is, breaking into a house between nine o'clock at night and six o'clock in the morning,)

with an attempt to murder; *arson*, that is, setting fire to a dwelling-house with any person therein; *exhibiting any false light*, with an intent to bring a vessel into danger; and every *accessary before the fact*, to any one of the above offences.

Most of these offences have been punished with death in this country; but there has been and still is a growing aversion to capital punishment. The belief extensively prevails, that a mild code is more effectual in checking crime, than a sanguinary one; and under the influence of these views, only a few of the more atrocious crimes are now punished, in this country, with death.

Imprisonment, with confinement to hard labor, and in some instances solitary confinement, are now the chief inflictions of the law for crimes against the public. Piracy, cognisable by the United States' courts, and murder by the state courts, are universally punished with death.

Imprisonment for debt, a common practice in most other countries, is nearly abolished in the states. If a person has no property, and will take oath to that effect, he can obtain his release from imprisonment for debt. This is a great mitigation of former laws; for once a creditor could keep his debtor in prison as long as he pleased, even if he had not a farthing of property. The law gave the creditor entire power over the body of the debtor, and this is still the fact in some European countries.

CHAPTER LXVI.

Qualifications of Voters.

THE chief distinction between our political system and the systems of other countries, is in the freedom of our elections. In England, France, Spain and some other countries, *the right of suffrage, the elective franchise*, or in other words, the privilege of voting for public officers, exists, but it is enjoyed only by a few persons, and those having considerable property. In this country the invaluable right of suffrage is much more extended. In most of the states, every citizen who has resided in a place for a few months, and paid a tax, is entitled to vote there in the elections for all public officers.

In the earlier periods of our state governments, the right of suffrage was not enjoyed except by persons holding landed estate: this right has been gradually extended, so as to be nearly universal, in almost all the states.

In Rhode Island, as the original colonial charter, granted in 1663, is in force, and forms the basis of the government to the present day, the ancient qualifications of voters are still required, among which is the holding of real estate to the value of one hundred and thirty-four dollars. This restraint upon the elective franchise, or right of voting, has been a just cause of complaint, among a part of the citizens of Rhode Island, for many years; and as their wishes have been steadily resisted, the feeling of resentment broke out into open insurrection in 1842.

An informal convention had been called the year previous, which formed a constitution: this being submitted to the people, was said to be accepted by a majority. Under this, an election was held; a governor by the name of Dorr was elected, with a senate and representatives. Dorr resorted to arms to establish this government, but was driven out of the state by the regular government.

It is to be hoped that the portion of the people of Rhode Island opposed to the extension of suffrage, called the *charter party*, and who have prevented the formation of a liberal constitution, will see the policy and justice of adopting a written constitution, as liberal, in respect to suffrage and other matters, as the constitutions of the adjacent states of Massachusetts and Connecticut.

There is no one point upon which the American people are more justly jealous than upon this of suffrage. They not only claim that it shall be extensively enjoyed, but they insist upon voting by *ballot*. This is done by putting a piece of paper, with the name of the person voted for, into a box, called the *ballot-box*. This is done so that no one need see or know who a person votes for. The advantage of this mode of voting, is that every man may vote independently; that even the poor and dependent may vote as they like, without being overawed by the rich, or those who have some power over them.

It will be perceived that in political affairs, *women and children do not vote*. It may be asked, what right has society to exclude these persons from so dear a privilege as that of the elective franchise? The answer is, that the good of society, and the good of those thus restrained, is best

consulted by such a course. If women were to engage in party strife, they would lose the respect they now receive from men, and by which they exercise a powerful influence over them. If children were to vote, they would do it ignorantly and capriciously, and thus injure themselves and others, by imparting their ignorance and caprice to the affairs of government. It may be remarked that these views are so clear and conclusive, that in no political system has the right of suffrage ever been granted to women or children.

CHAPTER LXVII.

The Majority.

THE great principle that lies at the foundation of our government is, that the *people are to rule*; and the way to ascertain what the people wish, is, in a formal and careful manner, to ascertain the decision of the *majority*. The majority having expressed their views, the rest of the people acquiesce.

Thus, in forming a constitution, if the larger number of persons qualified to vote, declare in favor of it; that is, if a *majority* vote for it, it is considered as adopted by the people; the smaller number, the *minority*, being bound to submit and support the constitution thus established.

It is the same in the choice of members of Congress, governors of states, &c. The *candidate* (that is, the person who is held up before the people for

a particular office) must have a majority of votes, or more votes than all other persons, in order to be declared elected.

This is the case in almost all the states. In some instances, in the choice of officers, the person who has a *plurality* of votes, (that is, the highest number of votes, or more votes than any other,) is declared elected.

It may be asked why the *minority* should submit to the *majority*?—in other words, what right has the majority to rule? We answer, that in this way alone can popular government be carried on. A majority and a minority being always opposed to each other, one must yield: of course, the few must give way to the many. The voice of the majority is therefore taken as the voice of the whole. The obligation of the minority to submit, lies in this—that in no other way can government be sustained. To resist the decision of a majority is to declare for anarchy, or revolution.

CHAPTER LXVIII.

Political Parties.

POLITICAL parties have existed in all free governments. They spring from the different views which different persons take of great questions affecting the public interest. Persons entertaining the same views will associate together, and act together, to carry the measures they approve, and to defeat those they condemn. Other persons, entertaining opposite views, will also associate together to counteract the operations of the first party, thus formed.

Thus one party always begets another; and as ambitious individuals are apt to put themselves at the head of these several parties, and excite them against each other, there is usually a good deal of bitterness between them. It has often happened that persons have become so devoted to party, as to forget their country; and in some instances patriotism has been swallowed up in party spirit.

In Greece and Rome, the people were divided into parties, and in England we have witnessed the same state of things. The terms *Whig* and *Tory*, have long been used to denote the two leading parties: the first professing to be the people's party, and to aim at taking power from the crown and giving it to the people; the latter being the king's party, and aiming to take power from the people and give it to the crown.

These terms were adopted in this country during the revolution; the friends of liberty and independence taking the name of *whigs*; those who adhered to the king and opposed the revolution, being called *tories*. Still more recently, one of the political parties here has assumed the title of *whig*, meaning thereby to declare their opposition to executive encroachments; and these have applied, as a term of reproach, the name of *tories* to their opponents.

Soon after the adoption of the constitution, it was seen that different views were entertained as to its construction and administration. Some persons feared that the national government would be too weak, and therefore leaned towards giving the constitution a *liberal construction*, so as to extend the powers of the *federal government*; and hence they

were called *federalists*. Among them was Washington and Alexander Hamilton; and the party they led was called the *federal party*.

On the other hand, there were persons, who, instead of fearing that the federal government would not be strong enough, apprehended that it would be too strong; that it would swallow up the state governments, and become a sort of despotism. Among these were Thomas Jefferson and James Madison. These latter called themselves at first, *republicans*, and afterwards they and their followers were styled *democrats*.

The politicians of the country, and indeed nearly all the citizens, continued divided between these two great parties—*federalists* and *democrats*—from 1800 to the close of the war in 1815, when they seemed to cease. Both these terms have, however, been revived within the last few years. The party which supported General Jackson, assumed the title of *democrats*; and as whigs called them, in reproach, tories, they in return denominated the whigs, *federalists*.

Among the various means resorted to by political parties to carry on their measures, are *conventions*, called for the purpose of *nominating*, that is, recommending candidates for office. The conventions consist of delegates, sent by the people of the party calling the convention, and when they have agreed upon a candidate, they recommend him to the voters, and he usually receives the support of his party.

It might appear at first view that there were serious objections to this course of proceeding, inasmuch as it seems to interfere with a free expression of the public will. But it is to be con-

sidered that no person can be elected unless he has a majority of all the votes: if, therefore, no means were taken to concentrate public opinion, the votes would be scattered upon a multitude of candidates, and no one would be chosen.

In the southern and western states, persons offer themselves as candidates, particularly for Congress, and thus the people's attention is directed to a few leading candidates. These go from place to place, addressing collections of people in the district, and setting forth their opinions, views, and principles.

A common method of conferring upon public affairs, among political parties, is to hold a kind of preliminary meeting, called a *caucus*, at which leading individuals compare opinions, and devise their plans of proceeding.

CHAPTER LXIX.

Duties of Citizens.

WE have endeavored to show, in the early pages of this work, that civil government is necessary in order to insure the happiness of society; that without government—anarchy, violence, and injustice would prevail; that peace, order, and justice can only exist where government is established, and where the people submit to the laws.

Government is designed, or ought to be designed, for the good of the people; and when it is wisely framed and well administered, it is one of the greatest of earthly blessings. Such a government

may be compared to a good house, comfortable and convenient, and protecting every member of the family alike from the storms and tempests of the season.

Now we suppose our American system of government to be thus wisely contrived and happily administered, and like the good, comfortable house, to afford shelter and protection to all. Shall we not, then, give it our cheerful support? Would we not watch over our dwelling, repair defects, remedy decay, defend it from the attacks of enemies, and quench the fire that threatens its destruction? And shall we not do as much for that government which is the shelter of the whole nation, and as necessary to our peace and protection as the very roofs over our heads?

And now in what way can we aid and support the government?

1. When at a proper age, *we must pay taxes*; for it is impossible that government should be carried on without money. Public officers, who spend their time for the benefit of the people, must have support: they must have food and clothing and shelter; and if constantly employed in the business of the public, how can they provide these things? The only way is for the public to pay them for their services.

The president and vice-president, the governors and lieutenant-governors; the members of the several legislatures; the judges, soldiers and sailors, must receive their pay. The public buildings, the ships, the forts, the light-houses, all require money, as well in their construction as for their current expenses.

Although these things demand vast sums of

money, when taken together, the cost to each individual is very little. There are seventeen millions of people in the United States, and the whole expenses of the national government are not more than twenty-five millions of dollars a year: this is only about a dollar and a half for each man, woman and child. And surely a dollar and a half a year is a small sum to pay for such blessings as our national government bestows. The expenses of our state governments are somewhat less than those of the national government.

2. Beside paying our money for the support of government, at a proper age we are called upon to *do military duty*, and if need be, to fight the enemies of our country. From this duty we surely ought not to shrink, unless from religious scruples.*

3. There other duties which devolve upon us, when we become citizens, such as *serving upon juries*, when required by law; *testifying in court*, as cases of necessity arise, &c. But the most important of all the duties of a citizen, lies in the *exercise of the elective franchise*, or the *choice of public officers*.

4. I have had occasion several times to remark, that the *manner* in which government is administered is as important as the *form* of government. A good house may be very uncomfortable, if you have a bad housekeeper. Now we have an admirable system of government, but we must have good rulers, good men to carry it on, or it will be like the good house, with a bad housekeeper; and every-

* The Quakers, and some others, entertain the belief, that all war and fighting is wrong; that even if attacked, we should offer no resistance. In general, such persons are not required by law to do military duty.

body under its influence, all the members of society, . will suffer.

The people—the voters—choose the rulers, and are therefore responsible for the manner in which the government is carried on. From this fact several important consequences flow.

If a man votes for a bad ruler, *he does what he can to injure himself, his family, his neighbors and his country*; because, in voting for a bad ruler, a freeman votes for bad government.

If a freeman stays away from the polls, and refuses or neglects to vote, he neglects one of the greatest and highest duties. He belongs to a country with a representative government: a government in which all ought to be represented—the high and low, the rich and poor, the learned and unlearned, the wise and simple. If the people refuse to vote, the great design of our government fails: the people are not represented, and therefore we have a government of a part, and not a government of the whole.

And beside this, if a man refuse to vote, how can he be sure that bad men will not assemble at the polls, and put in bad rulers? He who stays away from the polls is answerable for all the evil consequences which may follow from his neglect.

A man is bound to use the same *good judgment* —the same *common sense*, in acting for the people, as in acting for himself. A man is bound to use the same *vigilance*, in acting for his country, as in acting for himself. A man is bound to be as *honest*, in acting for his country, as in acting for himself. And, now, as votes are put into the hands of the people of this country, thus giving them power of good and ill, of life and death, over lib-

erty and good government, shall they ever neglect or refuse to use this power? Shall the American freeman abuse this power? Shall he be dishonest in the use of this power? Shall he ever act, in a matter of vital importance to his country, without the good sense, or the honest purpose, that he admits should guide him in the affairs of common life?

This is a matter which I press upon my young friends with earnestness, for there is a sad looseness in society, both of thought and action, respecting politics. Some persons have held the creed that "*all is fair in politics;*" and it is to be feared that this wicked and vicious maxim is partially adopted in action by many persons who are hardly aware of it.

Among the evidences of this corruption of the public mind, we may remark that many persons feel that they may vote to gratify their own personal feelings; many carry to the polls their personal prejudices, leaving their patriotism at home; they vote to satisfy some grudge or some whim; some friendship or some hate; they vote to effect a personal, not a patriotic object. All these are abuses of the high trust and noble privilege placed in the hands of voters.

It is the bounden duty of every freeman at the polls to discard such unworthy motives; to look, with singleness of heart and honesty of purpose to consequences; and to *cast his ballot for his country, and not for himself.* Such, indeed, will be the case with every noble and upright mind—every mind worthy of a freeman's privilege; every mind that is not bowed down to the idol of party and not the ignominious slave of selfish and narrow personal feeling.

In order to contend successfully with the sinister influences which attend us all in the field of politics, I know of no better lesson than this—*let us study the character of Washington, and seek to make him our model. Let us study the fathers of the revolution, and emulate their patriotic example—their sacrifice of self to their country.*

5. Among the duties of citizens, the last I shall notice, is the obligation to observe and support the laws. As I have shown, in the early part of this work, every law is designed to protect us in some of our rights and enjoyments; and though each law be a restraint upon absolute liberty, yet it is for the interest of each and all to support the laws. Every man who violates a law, not only does injustice or inflicts injury, either public or private, but he sets an evil example, and thus does a mischief to the whole community. He not only does a particular wrong, but his conduct tends to break down the fabric of government, and to render all our rights and privileges insecure.

A violation of law is therefore a great wrong, and every good citizen should beware of it. It may be said, indeed, that a law may be unjust and oppressive—and the question will be asked, shall such a law be observed?. To this we reply, that an unjust and oppressive law is not *morally* binding upon us. Still, in a free country like ours, when we find a law upon the statute book, we have reason to believe that it is both just and salutary; and we ought not to resist it, until after very mature deliberation, ample public discussion, and the trial and failure of all the ordinary modes of effecting changes in legislation.

I have but one thing more to add—and that respects the manner in which all political discussions should be conducted. In the first place, there should be a strict observance of good breeding; there should be no ungentlemanly contradictions; no imputation of bad motives. There should be no heat of words or manner; no display of anger. All should be done in coolness and kindness.

In the second place, there should be perfect fairness. In making statements, the one who offers them should take the utmost care to see and know that they are true: and, in the next place, only such inferences or arguments should be deduced from facts as are perfectly legitimate. By fair discussions, conducted in a gentlemanly way, the truth may be advanced; but no good can flow from angry disputes, or from disingenuous controversy.

Let it be ever borne in mind by my readers that it never can be the interest of an inquirer to be cheated or duped: therefore *truth* is the first object to him. Let it be also remembered, that, with an honorable mind, the first question in respect to any statement, always is this—*is it true?*—and no man, who is worthy of being called a man, will condescend to use a statement, either in making up his own mind, or in attempting to exercise an influence upon others, till he *knows that it is true*.

Those who will use falsehood for party or political purposes—or who will use that which they do not know to be true, are alike base and contemptible in the light of religion and honor. A political falsehood or trick is as bad as any other, and even worse, for it imports mischief to the whole community.

APPENDIX.

DECLARATION OF RIGHTS

Of THE CONTINENTAL CONGRESS, OCTOBER 14, 1774.

WHEREAS, since the close of the last war, the British Parliament, claiming a power of right to bind the people of America by statutes in all cases whatsoever, hath in some acts expressly imposed taxes on them, and in others, under various pretences, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these colonies, established a Board of Commissioners, with unconstitutional powers, and extended the jurisdiction of Courts of Admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a county :

And whereas, in consequence of other statutes, judges, who before held only estates at will in their offices, have been made independent on the crown alone, for their salaries, and standing armies kept in times of peace ; and whereas, it has lately been resolved in Parliament, that by force of a statute, made in the thirty-fifth year of the reign of King Henry the VIII., colonists may be transported to England, and tried there, upon accusations for treasons and misprisions, or concealments, of treasons committed in the colonies, and by a late statute, such trials have been directed in cases therein mentioned :

And whereas, in the last session of Parliament, three statutes were made ; one entitled, ' An act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading, or shipping of goods, wares, and merchandise, at the town, and within the harbor, of Boston, in the province of Massachusetts Bay in North America ;' another entitled, ' An act for the better regulating the government of the province of Massachusetts Bay in New England ;' and another entitled, ' An act for the impartial administration of justice, in the cases of persons questioned for any act done by them in the execution of the law, or for the suppression of riots and tumults, in the province of the Massachusetts Bay in New England :' and another statute was then made, ' for making more effectual provision for the govern-

ment of the province of Quebec,' &c. All which statutes are impolitic, unjust, and cruel, as well as unconstitutional, and most dangerous and destructive of American rights :

And whereas, assemblies have been frequently dissolved, contrary to the rights of the people, when they attempted to deliberate on grievances : and their dutiful, humble, loyal, and reasonable petitions to the crown for redress, have been repeatedly treated with contempt, by his majesty's ministers of state :

The good people of the several colonies of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Newcastle, Kent, and Sussex, on Delaware, Maryland, Virginia, North Carolina, and South Carolina, justly alarmed at these arbitrary proceedings of parliament and administration, have severally elected, constituted, and appointed deputies to meet and sit in general congress, in the city of Philadelphia, in order to obtain such establishment, as that their religion, laws, and liberties may not be subverted ; whereupon the deputies so appointed being now assembled, in a full and free representation of these colonies, taking into their most serious consideration the best means of attaining the ends aforesaid, do, in the first place, as Englishmen their ancestors in like cases have usually done, for asserting and vindicating their rights and liberties, **DECLARE**,

That the inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, have the following **RIGHTS**.

Resolved, N. C. D.* 1. That they are entitled to life, liberty, and property ; and they have never ceded to any sovereign power whatever, a right to dispose of either, without their consent.

Resolved, N. C. D. 2. That our ancestors, who first settled these colonies, were, at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural-born subjects, within the realm of England.

Resolved, N. C. D. 3. That, by such emigration, they by no means forfeited, surrendered, or lost, any of those rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them, as their local and other circumstances enable them to exercise and enjoy.

Resolved, 4. That the foundation of English liberty, and of all free government, is, a right in the people to participate in their legislative council ; and as the English colonists are not represented, and, from their local and other circumstances, cannot properly be represented, in the British parliament, they are en-

* *Nemine contradicente*, no person opposing, or disagreeing.

titled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed; but, from the necessity of the case, and a regard to the mutual interests of both countries, we cheerfully consent to the operation of such acts of the British parliament, as are, *bona fide*, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation, internal or external, for raising a revenue on the subjects in America, without their consent.

Resolved, N. C. D. 5. That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

Resolved, 6. That they are entitled to the benefit of such of the English statutes, as existed at the time of their colonization; and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

Resolved, N. C. D. 7. That these, his majesty's colonies, are likewise entitled to all the immunities and privileges, granted and confirmed to them by royal charters, or secured by their several codes of provincial laws.

Resolved, N. C. D. 8. That they have a right peaceably to assemble, consider of their grievances, and petition the king; and that all prosecutions, prohibitory proclamations, and commitments for the same, are illegal.

Resolved, N. C. D. 9. That the keeping a standing army in these colonies, in times of peace, without the consent of the legislature of that colony in which such army is kept, is against law.

Resolved, N. C. D. 10. It is indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other; that, therefore, the exercise of legislative power, in several colonies, by a council appointed, during pleasure, by the crown, is unconstitutional, dangerous, and destructive to the freedom of American legislation.

All and each of which, the aforesaid deputies, in behalf of themselves, and their constituents, do claim, demand, and insist on, as their indubitable rights and liberties; which cannot be legally taken from them, altered, or abridged, by any power whatever, without their own consent, by their representatives in their several provincial legislatures.

DECLARATION OF INDEPENDENCE.

A DECLARATION by the representatives of the United States of America, in congress assembled.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature, and of nature's God, entitle them, a decent respect to the opinions of mankind requires, that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident : that all men are created equal ; that they are endowed, by their Creator, with certain unalienable rights ; that among these, are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments, long established, should not be changed for light and transient causes ; and accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves, by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies ; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having, in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of

large districts of people, unless those people would relinquish the right of representation in the legislature : a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses, repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time, after such dissolutions, to cause others to be elected ; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these states ; for that purpose, obstructing the laws for naturalization of foreigners ; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in time of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined, with others, to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his assent to their acts of pretended legislation :

For quartering large bodies of armed troops among us :

For protecting them, by a mock-trial, from punishment for any murders which they should commit on the inhabitants of these states :

For cutting off our trade with all parts of the world :

For imposing taxes on us, without our consent :

For depriving us, in many cases, of the benefits of trial by jury :

For transporting us beyond seas, to be tried for pretended offences :

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it, at once, an example and fit instrument for introducing the same absolute rule into these colonies :

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us, in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries, to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress, in the most humble terms: Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts, by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace, friends.

We, therefore, the representatives of the UNITED STATES OF AMERICA, in GENERAL CONGRESS assembled, appealing to the Supreme Judge of the world, for the rectitude of our intentions, do, in the name, and by authority, of the good people of these colonies, solemnly publish and declare, That these united colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great

Britain is, and ought to be, totally dissolved; and that, as FREE AND INDEPENDENT STATES, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things, which INDEPENDENT STATES may of right do. And, for the support of this declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other, our lives, our fortunes, and our sacred honor.

ARTICLES OF CONFEDERATION

And perpetual union, between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

ARTICLE I.

THE style of this confederacy shall be, "THE UNITED STATES OF AMERICA."

ARTICLE II.

Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation, expressly delegated to the United States in congress assembled.

ARTICLE III.

The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV.

The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this Union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens, in the several states; and the people of each state shall have free ingress and regress to and

from any other state; and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions, as the inhabitants thereof respectively; provided, that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the owner is an inhabitant; provided also, that no imposition, duties, or restriction, shall be laid by any state, on the property of the United States, or either of them.

If any person guilty of, or charged with, treason, felony, or other high misdemeanor, in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governor or executive power of the state from which he fled, be delivered up, and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts, and judicial proceedings, of the courts and magistrates of every other state.

ARTICLE V.

For the more convenient management of the general interests of the United States, delegates shall be annually appointed, in such manner as the legislature of each state shall direct, to meet in congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year, and send others in their stead, for the remainder of the year.

No state shall be represented in Congress by less than two, nor by more than seven, members; and no person shall be capable of being a delegate for more than three years in any term of six years: nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees, or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States in congress assembled, each state shall have one vote.

Freedom of speech and debate in congress shall not be impeached or questioned, in any court or place out of congress; and the members of congress shall be protected in their persons from arrests and imprisonment, during the time of their going to, and from, and attendance on, congress, except for treason, felony, or breach of the peace.

ARTICLE VI.

No state, without the consent of the United States in congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty, with any king, prince, or state; nor shall any person, holding any office of profit, or trust, under the United States, or any of them, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state; nor shall the United States in congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever, between them, without the consent of the United States in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties, which may interfere with any stipulations in treaties entered into, by the United States in congress assembled, with any king, prince, or state, in pursuance of any treaties, already proposed by congress to the courts of France and Spain.

No vessels of war shall be kept up, in time of peace, by any state, except such number only, as shall be deemed necessary, by the United States in congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only, as in the judgment of the United States in congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state: but every state shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutred; and shall provide and constantly have ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.

No state shall engage in any war, without the consent of the United States in congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay till the United States in congress assembled can be consulted; nor shall any state grant commissions to any ship or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in congress assembled; and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in congress assembled; unless such state be infested by pirates, in which ves-

sels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in congress assembled shall determine otherwise.

ARTICLE VII.

When land forces are raised by any state for the common defence, all officers of, or under, the rank of colonel, shall be appointed by the legislature of each state respectively, by whom such forces shall be raised, or in such manner as such state shall direct; and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII

All charges of war, and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state, granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States in congress assembled shall, from time to time, direct and appoint. The taxes for paying that proportion, shall be laid and levied by the authority and direction of the legislatures of the several states, within the time agreed upon by the United States in congress assembled.

ARTICLE IX.

The United States in congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article: of sending and receiving ambassadors: entering into treaties and alliances; provided that no treaty of commerce shall be made, whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatever: of establishing rules for deciding, in all cases, what captures on land or water shall be legal; and in what manner prizes, taken by land or naval forces, in the service of the United States, shall be divided or appropriated: of granting letters of marque and re-prisal, in times of peace: appointing courts for the trial of piracies and felonies committed on the high seas; and establishing courts for receiving and determining, finally, appeals in all cases of captures; provided, that no member of congress shall be appointed a judge of any of the said courts.

The United States in congress assembled shall also be the last resort, on appeal, in all disputes and differences now subsisting, or that hereafter may arise, between two or more states, concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following: whenever the legislative or executive authority, or lawful agent, of any state, in controversy with another, shall present a petition to congress, stating the matter in question, and praying for a hearing, notice thereof shall be given, by order of congress, to the legislative or executive authority of the other state in controversy; and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges, to constitute a court for hearing and determining the matter in question: but if they cannot agree, congress shall name three persons, out of each of the United States; and from the list of such persons, each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number, not less than seven, nor more than nine, names, as congress shall direct, shall, in the presence of congress, be drawn out, by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges, who shall hear the cause, shall agree in the determination. And if either party shall neglect to attend at the day appointed, without showing reasons which congress shall judge sufficient, or being present shall refuse to strike, the congress shall proceed to nominate three persons out of each state; and the secretary of congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court, to be appointed in the manner before prescribed, shall be final and conclusive. And if any of the parties shall refuse to submit to the authority of such court, or to appear, or defend their claim or cause, the court shall, nevertheless, proceed to pronounce sentence or judgment, which shall in like manner be final and decisive; the judgment, or sentence, and other proceedings, being, in either case, transmitted to congress, and lodged among the acts of congress, for the security of the parties concerned: provided, that every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, 'well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection, or hope of reward:' provided, also, that no state shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed

under different grants of two or more states, whose jurisdictions as they may respect such lands and the states which passed such grants, are adjusted, the said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the congress of the United States, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The United States in congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states: fixing the standard of weights and measures throughout the United States: regulating the trade and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state within its own limits be not infringed or violated: establishing and regulating post-offices from one state to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office: appointing all officers of the land forces in the service of the United States, excepting regimental officers: appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States: making rules for the government and regulation of the land and naval forces, and directing their operations.

The United States in congress assembled shall have authority to appoint a committee, to sit in the recess of congress, to be denominated A COMMITTEE OF THE STATES, and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction: to appoint one of their number to preside; provided, that no person be allowed to serve in the office of president more than one year in any term of three years. To ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses: to borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted: to build and equip a navy: to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state, which requisition shall be binding; and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm, and equip them, in a soldierlike manner, at the expense of the United

States ; and the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on, by the United States in congress assembled ; but if the United States in congress assembled shall, on consideration of circumstances, judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than its quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped, in the same manner as the quota of such state ; unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same ; in which case they shall raise, officer, clothe, arm, and equip, as many of such extra number as they judge can be safely spared : and the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on, by the United States in congress assembled.

The United States in congress assembled shall never engage in a war ; nor grant letters of marque and reprisal in time of peace ; nor enter into any treaties or alliances ; nor coin money ; nor regulate the value thereof ; nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them ; nor emit bills ; nor borrow money on the credit of the United States ; nor appropriate money ; nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised ; nor appoint a commander-in-chief of the army or navy ; unless nine states assent to the same ; nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in congress assembled.

The congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months ; and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy ; and the yeas and nays of the delegates of each state, on any question, shall be entered on the journal, when it is desired by any delegate ; and the delegates of a state, or any of them, at his or their request, shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X.

The committee of the states, or any nine of them, shall be authorized to execute, in the recess of congress, such of the powers

of congress as the United States in congress assembled, by the consent of nine states, shall, from time to time, think expedient to vest them with ; provided, that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the congress of the United States assembled is requisite.

ARTICLE XI.

Canada, acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union. But no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII.

All bills of credit emitted, moneys borrowed, and debts contracted, by or under the authority of congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof, the said United States, and the public faith, are hereby solemnly pledged.

ARTICLE XIII.

Every state shall abide by the determinations of the United States in congress assembled, on all questions which, by this confederation, are submitted to them. And the articles of this confederation shall be inviolably observed by every state ; and the Union shall be perpetual. Nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to, in a congress of the United States, and be afterwards confirmed by the legislatures of every state.

And whereas, it hath pleased the great Governor of the world to incline the hearts of the legislatures we respectively represent in congress to approve of, and to authorize us to ratify, the said articles of confederation and perpetual union :

KNOW YE, That we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name, and in behalf, of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in congress assembled, on all questions, which, by the said

confederation, are submitted to them ; and that the articles thereof shall be inviolably observed by the states we respectively represent ; and that the union shall be perpetual.

In witness whereof, we have hereunto set our hands in congress.

Done at Philadelphia, in the state of Pennsylvania, the ninth day of July, in the year of our Lord one thousand seven hundred and seventy eight, and in the third year of the Independence of America.

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QUESTIONS FOR EXAMINING THE PUPIL.

CHAP. I.—Describe the picture. Verse 1. How does a child acquire his first idea of *government*? What is this idea? 2. How does a child obtain his first ideas of *law*? 3. What are these ideas? 4. What of ideas of government and law? 5. What of obedience to law and government? 6. What is it that deepens our sense of obligation to obey laws? 8. What of habits? What of the fireside? 9. What of the plan of divine providence? 10. What ought parents to consider? What ought children to consider?

CHAP. II—Describe the picture. 1. What of children? 2. What is it that forbids a child to get fruit from a neighbor's garden? 3. Why is a thief taken to prison? Why are pirates hung? 4. What of the law? Who made the law?

CHAP. III.—Describe the picture. 1. What will a traveller over the world remark? What of the Indians? Why are they called savages? 2. What always belongs to the condition of savages? 3. What of woman in the savage state? What of the men? 4. Lands among savages? Property among us? Property among savages? 5. What of a man's house, furniture, money, &c., among us? What of our Indians? What of the savages of New Guinea? 6. What of laws among savages? Government of our American Indians?

CHAP. IV.—1. What will the traveller find in pursuing his inquiries? 2. What of government among such nations? What examples of such government can you mention? 3. What of the chief? 4. What of justice and public opinion in such countries? 5. Why is this state of society called barbarous? 6. What is consistent with the barbarous state? What of the chief in barbarous countries?

CHAP. V.—1. What is that condition which we call civilized? What does civilization imply? 2. What are civilized nations? When are nations semi-barbarous? 3. What of the Turks? 4. Of Egypt, Persia, &c.? What of all these semi-barbarous countries? 5. What is not excluded by the idea of civilization? What is not always secured by civilization? What of most of the governments of Europe? What tends to raise nations in the scale of civilization? 6. What tends to sink a nation in the scale

of civilization? 7. In fixing the scale of civilization, what are we to consider? How do you rank nations in civilization?

CHAP. VI.—1. What is society? What of the family? 2. What is an insurance company? 3. What is civil society? What is the state? 4. What of the obligations of civil society? What three things are everywhere observed among mankind? 5. What is the distinction between a solitary and a social being?

CHAP. VII.—1. What of some countries? 2. What of society as it advances? 3. What are the consequences of a division of property? In what proportion is a community usually happy? 4. In what proportion is a country usually poor? Why is this? 5. What is the object of the greater part of the laws in civilized governments? 6. What other rights does the right of property involve?

CHAP. VIII.—1. What is justice? How is justice often personified? 2. What is political or civil justice? 3. What is a part of man's nature? May individuals be destitute of the perception of justice? Is there any nation destitute of a perception of justice? 4. May the sentiment of justice be weakened? May it be strengthened? 5. In what countries only is justice a basis of action?

CHAP. IX.—1. Why should we inquire what the rights of men are? What of the Scripture rule? 2. What is the duty of law-makers? 3. What are the general rights of man? For what only may the natural rights of man be abridged or taken away? 4. What of liberty? Value of liberty? What of the abridgment of our natural liberty?

CHAP. X.—What is liberty? In its widest sense? What is absolute liberty? What does this allow? 2. What of liberty without law? Of a savage? Of truth and justice? Of every human being? 3. What of absolute liberty practically? 4. Into what, therefore, does absolute liberty run? When can it only exist? 5. Natural liberty? To what is it often applied? 6. What restraints upon natural liberty exist among savages? 7. What of the law of custom? What other restraints than those of custom exist upon savage communities? If the weak are not protected from the strong, what follows? What of the mass of society, where natural liberty is said to prevail? What is a state of natural liberty? 8. What of the animal tribes? 9. What of virtue? How is the virtuous man restrained? 10. Why is civil government founded? 11. What has experience taught?

CHAP. XI.—1. What is civil liberty? Why does a man consent to be taxed? What of a man's right to walk or ride when he pleases? 2. In what does a man consent to have his liberty abridged in civilized countries? 3. Why does a man give up some of his natural rights? 4. What is the great principle on which

civilized society rests? What is all government? Why is government necessary? What does government do? 5. Why does a man with 10,000 dollars, consent to be taxed, and pay away 50 dollars? 6. What are numerous in civilized society? Where is the greatest amount of practical liberty enjoyed? 7. What of New Holland? 8. What of the savage and his bow? 10. What of the savage and the wigwam? What injustice is done where property is held in common? 11. What shall we notice to follow in proportion as the laws are few and imperfect? 12. Where is there the least liberty? Where is there the most liberty?

CHAP. XII.—2. What do the law-makers seek? What is the consequence? 3. What is civil liberty? What can you do in Massachusetts? 4. What if you were among the western Indians? Where would you enjoy most freedom, in Massachusetts, or among the Indians? 5. Why would you enjoy most liberty in Massachusetts? How does the law requiring license to sell gunpowder, promote liberty? 6. What of dealers in wood, fish, flour, &c.? 7. What of every law tending to make life, property, and character more secure? What does this show?

CHAP. XIII.—1. What is liberty? Absolute liberty? Natural liberty? Why can natural and absolute liberty only exist in theory? 2. What is meant by a community of property? 3. What does a man do for civilized society? Why does he pay a tax? What is government bound to do? 4. What is every law? What of the law against murder? Laws against stealing, wounding, &c.? On what are these laws founded? 5. What of the laws which compel a man to pay taxes, &c.? Why does a man submit to these evils? 6. What of a community where the laws are fewest, and most imperfectly enforced? What of life, property, &c., in such a community? 7. What of society where the laws are most complete, and best enforced? 8. What is civil liberty? Why can a person reasonably ask no other than civil liberty?

CHAP. XIV.—1. What have some persons fancied? What of the declaration of independence? 2. What is impossible? Why is absolute equality impossible? 3. Mention other grounds of inequality. 4. What inequalities in nature can you mention? What does the whole system of nature and providence show? 5. What of countries where the greatest freedom prevails? 6. What of females? 7. What of mankind? In what sense can it be said that men are created equal? 8. What thing is plain? What does political equality not mean? What does it mean?

CHAP. XV.—1. What is civil government? What of society without government? What of a family? What would be the state of things without a government? What has never succeeded? Why are government and law required? 2. What is matter of necessity? What may all government be considered?

3. What is society where there is absolute liberty? What is indispensable to secure order, justice, &c.? 4. What of a man who expects to enjoy liberty without paying for it? 5. On what principle does a member of society act, in giving up a part of his liberty to secure the rest? What is government? To what has government been compared? 6. What is the great problem of government? What of every act of legislation? 7. What of the social compact? What of Russia? 8. What may be said of submission? What of government founded in force?

CHAP. XVI.—1. What three things does government embrace? 2. What of the form of government of the United States? Statutes? Administration? 3. The separate states? Their statutes? Their administration? Laws that violate a constitution? 4. Government in Great Britain? The laws? The administration? What of France? Many of the systems of Europe? 5. What other division belongs to the government of most civilized countries?

CHAP. XVII.—1. How is legislative power usually vested? What is a legislature? 2. What of the two branches of legislature? What of a law introduced into either house? 3. What is necessary in order that a bill should pass? When it has passed one house, what is done with it? What happens when it has passed both houses? 4. What is legislation? What is the usual mode of legislation in civilized countries? Where are there no legislature, and no written laws? What of power in such countries?

CHAP. XVIII.—1. What is the judicial power? The judiciary? Of what does a court usually consist? 2. What if a man is charged with a breach of the law? 3. What of witnesses? 4. Witnesses against the accused? In his favor? How many persons in a jury? Of whom do they consist? What do they do? What is their decision called? 5. If the verdict is "*not guilty?*" If "*guilty?*" If the sentence is "*death?*" If "*imprisonment?*" If a "*fine?*"

CHAP. XIX.—1. What of the executive power of the states? 2. Of the United States? Of England? 3. What is the president's duty? Who are the cabinet? What do we call the president and the cabinet? What are the acts of a president sometimes called? 4. What is the duty of a governor of a state? 5. What of the legislature? The judiciary? The executive? What of these three powers? 6. Why ought these three powers to be placed in different hands? 7. Illustrate this. 8. What of despotic countries? The sultan of Turkey? What may be said of a government like that of Turkey? People of Turkey? 9. What of Tripoli, Morocco, &c.?

CHAP. XX.—1. What of parts of Asia and Africa? 2. Who rules over these wandering tribes? What does patriarch mean?

What of the patriarchal form of government? 3. What can you say of the government of a military chieftain? 4. What of the military chieftain when he becomes king? 5. What does such a king do? 6. What other cunning artifice is adopted by kings? 7. What of the union of church and state? 8. What of an active and ambitious king? What is an emperor? 9. What were mere despotisms? 10. What is a democracy? 11. What of Attica? 12. What is a republic? What is each of the United States? What of the government of the United States? What of Texas, &c? 13. What is the distinction between a democracy and a republic? What is a republic sometimes called? 14. What is an aristocracy? An oligarchy? A monarchy? What of most of the governments of Europe? 15. What is a despotic government? A tyrannical government? A free government? 16. An aristocratic government? What of Great Britain? What is a democratic government? In what sense is ours a democratic government? 17. What constitute the greatest differences in governments? Where is political power placed in a democracy? In a republic? In a despotism? What are popular governments? Despotic governments?

CHAP. XXI.—1. What must have been discovered in the first human family? What of children? 2. What of a family without government? Adam and Eve? The first government? Adam? 3. What of the first ages of the world? 4. Describe the progress of mankind. What of Nimrod? 5. What more of Nimrod? 6. What of the sovereigns of Assyria? Of what is there no recorded instance? 7. What of the rest of Asia? Persia? The king and the people?

CHAP. XXII.—1. What has the government of the Hebrews been called? What is a theocracy? What of this government? 2. What of David? His successors? 3. What more of the successors of David? 4. What of the laws established by Moses? 5. What more of the Hebrews? When did Moses live? What of Confucius? Solon? 6. What is the leading idea of the Mosaic institutions? What was the object of Moses, and what did he do? 7. What of the descendants of Aaron? Levites? 8. What of the administration of justice? What was done in the time of Moses? 9. What of pleading before the Hebrew courts? Witnesses? When a man was found guilty? 10. What of the institutions of the Hebrews? Administration of justice?

CHAP. XXIII.—1. What of the early history of China? 2. What of the policy of China? 3. Government of China? Title of the emperor? Population of China? 4. Emperor of China? 5. What of nobility? Courts? 6. What of the government of China? Punishment? How may China be regarded? 7. Art of printing? Name of the penal code of China? 8. What of this

code? 9. Punishments? 10. What is said of rebellion in the Chinese law?

CHAP. XXIV.—1. What of Egypt? 2, 3. Ruins of Thebes? 4. What of Egypt 2000 years before Christ? Where did the Greeks obtain their arts? 5. Political system of Egypt? 6. Religion in ancient Egypt? 7. Superstition? 8. Justice? Written laws? Perjury? False accusers? Falsehood? Forgery? 9. The king? The priests? 10. Kings after death? Soldiers and priests? Divisions of the people? The priests? 11. What kind of government was that of ancient Egypt?

CHAP. XXV.—1. What of the origin of Grecian history? How long since the first kingdom of Greece was founded? Who was living then? What of Greece before this time? 2. When does Grecian history begin? When does it end? How long a space does the history of ancient Greece occupy? 3. Describe the country occupied by ancient Greece. 4. Ancient Greeks? 5. Beauty of the country of Greece? 6. Climate? 7. What of the nation? 8. For what are we indebted to the Greeks? 9. Liberty among the Greeks? Law? What did the Greeks first discover? 10. What of Grecian character? Anecdote of an old man? 11. Patriotism of the Greeks? Anecdote of a king? 12. What of personal attachments? Xerxes and the Greek? 13. Solon and Crœsus?

CHAP. XXVI.—1. How was Syracuse settled? Tell the story of Damon and Pythias? 8. What bad traits of character had the Greeks? 9. What of their injustice? Morality? 10. What are we forced to confess?

CHAP. XXVII.—1. Of what was Athens the capital? When, and by whom was it founded? Describe its situation. The Acropolis? 2. Seaports of Athens? Extent of the walls around Athens? 3. Temple of Theseus? 4. Inhabitants of Athens? 5. Who were freemen? 6. Divisions of citizens? 7. Strangers residing in Athens? 8. What was done after a war or the plague? 9. What is painful to reflect upon? What two kinds of slaves in Athens? 10. What of treatment of slaves? 11. How were Athenian slaves employed?

CHAP. XXVIII.—1. Government of Athens? What of archons? Pisistratus? Pericles? 2. How were archons elected? What was required of them? 3. Oath of the archons? 4. What did the archons wear? How were they paid? 5. What of the chief archon? 6. The second archon? 7. The third archon? 8. The other archons? 9. How were the archons assisted? 10. How was the power of making laws vested by Solon? What of the senate council of 400? 11. When was the council of 400 increased? How were senators chosen? How did the people vote? 12. Power of the senate? 13. Right of freemen? Who were

excluded from the assemblies? How often were these assemblies held? If the people did not attend, what was done? 14. How did they proceed at the assemblies of the people? 15. Upon what did the assemblies of the people decide? 16. What was the chief inconvenience resulting from these assemblies? What of Demosthenes? 17. What of the constitution of Athens? What evils existed? 18. What followed from the fear of loss of power on the part of the people? What of Miltiades? Cimon? 19. Describe the process of condemning a public man. 20. What of Aristides? Themistocles? Cimon and Themistocles? Alcibiades? 21. Rewards of the Athenians?

CHAP. XXIX.—1. What of the Court of Areopagus? Where did it meet? Whence did it receive its name? 2. What of the origin of this court? What of its business? 3. How long was the tenure of office in this court? Who were admitted to it? What was required of the members? What caused exclusion? What was forbidden? 4. Tell the anecdote of a bird? What of foreign states? 5. When did the court meet? Under what circumstances did they sit, and determine causes? How were they divided? What was their pay?

CHAP. XXX.—1. What other courts in Athens? What did these do? 2. How were the judges chosen? Qualifications of the judges? Number of the judges? What was an inducement to become a judge? 3. Annual expense of these courts? 5. Character of the Athenians? 6. Their most distinguished trait? What of Athens? Literary character of the Athenians? 7. What of Athens and Sparta? 8. Compare the Athenians and Lacedemonians? 9. Lycurgus? 10. What was the capital of Laconia? What other towns in Laconia? What of their depu ties? 11. Describe Ancient Sparta? 12. What two classes of citizens in Sparta? What occurred on the birth of a child? 13. What of children whose parents were both Spartans? 14. Who were disqualified from holding office? 15. What of slaves? Who were the Helots? 16. What did the Helots do? 17, 18. What more of the Helots.

CHAP. XXXI.—1. What did the political constitution of Sparta embrace? 2. What of the two kings of Sparta? 3. Power and duties of the kings? 4. Number of the Senate? Qualification of the members? How elected? Their duties? 5. What was the number of the Ephori? How elected? Their duties and power? 6. What other duties and powers had the Ephori? 7. What was the business of the assemblies of the people? Who composed them? Number of citizens in Laconia? 8. Bachelors in Sparta? 9. What did Lycurgus ordain in respect to children? 10. What of the Spartans in respect to eating? 11. Food and

drink of the Spartans? 12. Clothing? 13. What of the Spartans in respect to laws and customs? 14. Treatment of superiors? 15. Science, literature and arts? 16. Profession of a soldier? 17. What of stealing? 18. Training of boys? Of young men and women? What of whipping at the temple of Diana? 19. Money? Contracts? 20. What of a man before thirty? 21. What took place in time of war? What of bravery in war? 22. When a Spartan fell in battle on the frontiers, what was done?

CHAP. XXXII.—1. What kind of government had other states of Greece? How was the chief power vested? What two parties existed in almost all the states? 2. What of the institutions, science and arts in these states? 3. What did the council of the Amphictyons resemble? How many states were united in this confederation? How many votes had each? What number of deputies could each send? 4. What were the chief objects of this council? 5. When and where did this council meet? Who attended their meetings? 6. How did they open their proceedings? What oath was taken by the states that united in this league? 7. What could the council do? 8. What of the feeble and stronger states? The Lacedemonians? 9. What of robbing the temple of Delphi? 10. What of the Phocians and Boeotians? What of Philip of Macedon?

CHAP. XXXIII.—1. How did the city of Rome get its name? When was it founded? How was it built? Into what three parts was the territory divided? How was the third portion divided? 2. What of Rome in its day of glory? 3. What of the Forum? 4. What more of the Forum? 5. What of its present state? 6. The aqueducts of Rome? 7. How was the city cleaned? 8. Roads?

CHAP. XXXIV.—1. What of citizenship in Rome? 2. How were the citizens divided? 3. Divisions of the people? 4. What of the patrician order? 5. The equestrian order? 6, 7. The plebeian order? 8, 9. What of slaves? 10. Market for slaves? 11. Power of masters? Laws respecting slavery? Anecdote of slavery? 12. Liberation of slaves?

CHAP. XXXV.—1. Constitution of Rome? 2. Romulus? How long did the regal power exist? Who was the last of the kings? 3. Election and power of kings? Badges? 4. Power of the people of Rome? 5. What of the Senate? 6. How were Senators chosen? Their number? 7. Upon what subjects was the Senate consulted? What of their mode of voting, debating, &c.? What of speeches? 8. What occurred when all had offered their opinions? What was a decree of the Senate called? What was done with this decree? 9. What was a magistrate in

the Roman Republic? 10. Origin of the word candidate? 11. The ordinary magistrates? 12. Extraordinary magistrates? 13. What was required of all magistrates? 14. How were the laws of Rome established? Foundation of Roman laws? 15. What of new laws? 16. Roman punishments? 17. Modes of capital punishment?

CHAP. XXXVI.—1. What was the first great empire of the world? What of this empire? 2. What of Persia? 3. What of government in all the ancient empires? 4. What of other Asiatic countries? China and Japan? 5. Institutions of the Hebrews? 6. What do we learn from these ancient governments? 7. What of Greece? 8. Rome? 9. Institutions of Greece and Rome? 10. What of the Saracens? Europe?

1, 2. What of the early history of the Feudal System? What of Pharamond? 3. What of the feudal system, from the time of Pharamond? 4. Describe the German and other tribes? 5. What of leaders of these tribes? 6. Division of spoils among these tribes? 7. What constituted the chief feature of the feudal system? 8. What of the common people under the feudal system? 9. What of Clovis? 10. When did the feudal system prevail? 11. What happened about the fourteenth century? What gradual change took place from the fourteenth century? 12. What of the first settlers of America?

CHAP. XXXVII.—2. What of Pharamond? Clovis? 3. What of the early government? What of Pepin the short? Charlemagne? 4. Successors of Charlemagne? Power of the king? The people? 5. Louis XIV.? 6. What of the palace of Versailles? 7. Kings of France, up to the time of Louis XIV.? 8. What could the king do? 9. What of the Bastile? *Lettres de cachet*? 10. How were these used? 11. What abuses grew up? 12. How did the *lettres de cachet* sustain despotism? 13—22. What of the iron mask? 23. What occurred in 1789? 24—26. What of a certain prisoner?

CHAP. XXXVIII.—1. What of the history of France since Louis XIV.? 2. Louis XVI.? What assembly did he convoke? 3. What of this assembly? What of the States General? 4. What of Necker's plan? Into what assembly did the *tiers etat* form themselves? 5. What occurred in the assembly Aug. 4, 1789? On the 5th Oct.? 6. What of Louis and his family? 7. What of the Jacobins? 8. What occurred on the 10th August, 1792? 9. When was the National Convention opened? What was done at their first sitting? What occurred on the 21st of January, 1793? 10. Who declared war against the French Republic? 11. What of the common people? What occurred in June, 1793? 12. What of the committee of public safety? 13

What of the Queen? The Duke of Orleans? 14. What of Carrier? City of Lyons? 15. Executions in Paris? Robespierre, Couthon, and St. Juste? 16. What form of government was established? What occurred in 1799? 17. What of Bonaparte? 18. What of Louis XVIII.? Charles X.? 19. Louis Philippe? What constitution was formed? 20. What of the recent history of France? 21. What of the French Revolution? The people? 22. What occurred in this state of anarchy? 23. What follows the career of Bonaparte? What is the present form of government in France? 24. What is the lower house called? The upper house? What of the Peers? Whole number of electors? What of proceedings in the French Parliament?

CHAP. XXXIX.—1. What of the political history of Great Britain? 2. What of Cæsar? 3. Rome? What of Britain after the fall of Rome? 4. Population of England? Who was the founder of the English monarchy? 5. Whose son was Alfred? When did he ascend the throne? 6—11. Give an account of Alfred's reign and character. 12. William, duke of Normandy?

CHAP. XL.—1. What of John? 2. What occurred at Runnymede, June, 1215? 3. In what language is Magna Charta? 4. What was the king of England accustomed to do before this period? 5. What of the countess of Chester? Countess of Warwick? 6. Object of Magna Charta? 7. What extracts can you give from Magna Charta? 8. Of England from the time of John? 9. What occurred in 1649? What of Cromwell? 10. What occurred in 1660? What of Great Britain since that period?

CHAP. XLI.—1. What does the British empire embrace? 2. What of England? Scotland? Ireland? 3. What of the West Indies? 4. Hindostan? 5. East Indies? 6. British dependencies in North America? 7. What of the Australian colonies? African colonies? What other dependencies has Great Britain? 8. Upon what does the ascendancy of Great Britain chiefly depend? British character?

CHAP. XLII.—1. Government of Great Britain? 2. What of the Executive? 3. The Legislature? 4. What of Parliament? 5. What of the British constitution? 6. What explanation can be offered of the British system? 7. What of the British monarchy? 8. What of the Reform Bill? 9. What of the House of Commons? 10. The constituency of Great Britain? Qualifications? 11. Duration of Parliament? 12. House of Lords? 13. The king? 14. Patronage of the king? What exclusive right has he? How is he held in check? 15. How is the king said to be incapable of doing wrong? 16. Who constitutes the king's cabinet? 17. What is the privy council?

CHAP. XLIII.—1. When does Parliament sit? 2. Who may

propose a new law? What is the process of making a law? 3. What of bills for raising money? 4. What of money annually raised by Parliament? How is justice administered? What two kinds of English law? What is common law? Equity law? What of laws in Scotland? How is justice administered there?

CHAP. XLIV.—1. What of the government of Spain? What is the heir-apparent called? Other royal children? 2, 3. Describe the constitution of 1837. 4. What of the early history of Venice? What of the Doge? 5. Government of Venice? 6. Venetian navy? What occurred in 1797? 7. What of Genoa? 8. What of Sardinia? Austria? Italy? Modena? Parma? Lucca? Tuscany? 9. States of the church? Naples? 10. Greece? Present government of Greece? 11. Government of Turkey? 12. Switzerland? 13. Austria? 14. Russia? 15. Principal German states? 16. Holland and Belgium? Denmark? Sweden? Norway? 17. Government of Russia? What of the Emperor? The nobles? The courts? Punishments? 18. Revenues? The navy? Army? Present position of Russia?

CHAP. XLV.—2. What of Columbus? 3. Aborigines of America? 4. Origin and early history of the American Indians? 5. What of the king of Spain? 6. Other European powers? 7. First object of Europeans in America? What other objects were afterwards sought? 8. On what were European rights to territory in America founded? 9. What of the right of discovery? 10. How did the Europeans consider the Indians? 11. What was the practice of Europeans toward the natives? 12. What system did the English adopt?

CHAP. XLVI.—1. What of the settlement of Jamestown? 2. Under what charter did these persons settle in Virginia? 3. What of the charter of king James? What division took place? 4. What of New York? When did New York come into the hands of the English? What of the first settlement in New England? 6. What of Maryland? New Jersey? Pennsylvania? Delaware? 7. North Carolina? South Carolina? Georgia? 8. What colonies were established in North America? What of the thirteen colonies? 9. Of Maine? Vermont?

CHAP. XLVII.—1. What has been the practice of commercial nations? What of these settlements? What are they called? 2. What is the inducement to found colonies? What of Carthage? 3. Greece? 4. Rome? What happened after the fall of the Roman Empire? Genoa? Venice? 5. What of the Portuguese? 6. What of the continent of America? 7. What of the thirteen colonies? 8. What of the charters of the colonies? 9. What were the different situations of the colonies? 10. What of the English colonies as to Great Britain? 11. What of the home government? 12. What more of colonies?

13. What of the people of the colonies? How did the colonies flourish? 14. What were the oppressions of the British government?

CHAP. XLVIII.—1. What of the colonies? 2. What occurred in 1774? 3. What of the first Congress? 4. What did the first Congress do? When was the Declaration of Independence adopted? How was it received by the people? What did Congress recommend in order to carry out the plan of national independence? 5. What was the government until near the close of the war? What of the articles of confederation? What of Congress during the war? 6. What of the power of Congress? What must be considered in respect to the government of Congress during the war? 7. What was obvious?

CHAP. XLIX.—1. What occurred in 1777? What in 1781? 2. What of the articles of confederation? 3. What did an eminent statesman say? 4. What of Congress? The states? 5. What could Congress not do? 6. What of these evils?

CHAP. L.—1. What occurred in 1786? What in September, 1786. 2. What did Congress do? What occurred in September, 1787? What occurred in 1789? 3. What of North Carolina and Rhode Island? What of the first thirteen states? What of the other thirteen? What is the duty of every American citizen?

CHAP. LI.—1. What of the government of Great Britain, France, &c.? The laws of the British Parliament? The laws of the French Legislature? 2. What of the twenty-six states? The constitution? 3. What are the chief powers granted to the national government? What powers are withheld from the states?

CHAP. LII.—Repeat the preamble of the constitution.* What was the first object of the constitution? Why was a more perfect union necessary? What was the second object of the constitution? Why was this necessary? What was the next object of the constitution? What is the meaning of this? What was the next object of the constitution? Why was this necessary? What was the next object of the constitution? Why should the general government have this power? What is the last object of the constitution, as set forth by the preamble? What is civil liberty? Of what does the constitution consist? What of the first article of the constitution?

ARTICLE I. Repeat the first section of Article I. What is

* It may be well, in examining the pupil upon the Constitution, to let him have a book in his hand, to see what sections and verses are referred to; but the answers should be given with the book closed.

the meaning of this? Repeat sec. 2, ver. 1. What does this mean? Repeat ver. 2. What does this mean? Repeat ver. 3. What principle does this verse lay down? What occurred in 1842? How many representatives in Congress has Maine? New Hampshire? Massachusetts, &c.? What is meant by the phrase, bound to service for a term of years? What is meant by the phrase "all other persons?" Repeat ver. 4; ver. 5. What is the power of impeachment? What occurred in 1805?

Repeat sec. 3, ver. 1. What does this mean? Why are two houses needed in a legislature? What of the Senate as compared with the House of Representatives? Repeat ver. 2, sec. 3. What provision is here made? Repeat ver. 3. What does it mean? Repeat ver. 4. What does it mean? Repeat ver. 5. What does it mean? Repeat ver. 6. What does it mean? Repeat ver. 7. What does it mean?

Repeat sec. 4, ver. 1. What does it mean? Repeat ver. 2. What does it mean? Repeat sec. 5, ver. 1. What does it mean? Ver. 2? Ver. 3? Ver. 4? Sec. 6, ver. 1? Why should a member of Congress be free from arrest? Why should he be able to speak freely? Repeat ver. 2, sec. 6. Why are these restrictions proper?

Repeat sec. 7, ver. 1. What does this mean? Why is this provision wise and just? Repeat ver. 2, sec. 7. What powers does this give the President? What does veto mean? What of the veto power in England? What if a President vetoes a bill? Repeat ver. 3. What does this mean? What power has Congress according to sec. 8, ver. 1? What power has Congress according to ver. 2? According to ver. 3? Ver. 4? Ver. 5.? Ver. 6? Ver. 7? Ver. 8? Ver. 9? Ver. 10? Ver. 11? Ver. 12? Ver. 13? Ver. 14? Ver. 15? Ver. 16? Ver. 17? Upon what are taxes laid?

Upon what are duties or imposts levied? How are duties on foreign goods collected? How is the chief revenue of the United States obtained? What of direct taxation? From what do the States derive their revenue? What of the power to regulate commerce? What of the District of Columbia? Where were the first and second seats of the general government? What of Washington? What is the meaning of sec. 9, ver. 1? Repeat ver. 2. What of the habeas corpus? Repeat ver. 3. What is a bill of attainder? An ex post facto law?

Repeat ver. 4. What does it mean? Repeat ver. 5. What does it mean? Ver. 6. What does it mean? Why are the restrictions of this last verse indispensable? What does ver. 7 prohibit? What does sec. 9, ver. 1, prohibit? What does ver. 2 prohibit? What of bill of credit?

ARTICLE II. To what does Article II. relate? Repeat sec. 1,

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